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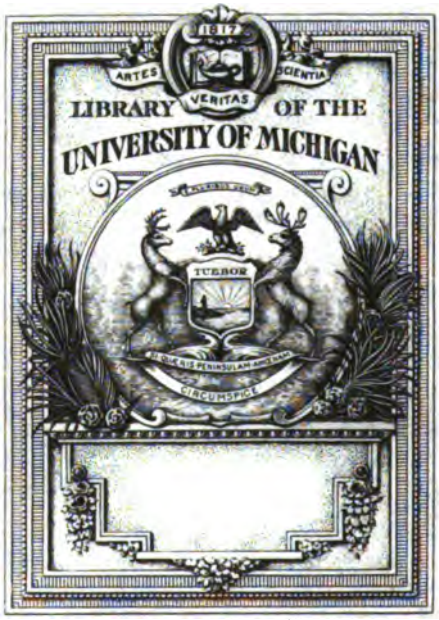

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DOCUMENTS

OF THE

ASSEMBLY

OF THE

STATE OF NEW-YORK,

FIFTY-SIXTH SESSION,

1833.

VOLUME I.

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OFFICIAL LIST

OF THE

MEMBERS OF ASSEMBLY,

ELECTED IN NOVEMBER, 1832.

Albany—Edward Livingston, Israel Shear, Jacob Settle.

Allegany—John B. Collins.

Broome—Vincent Whitney.

Cattaraugus—Chauncey J. Fox.

Cayuga—John Beardsley, George H. Brinkerhoff, John W. Sawyer, Simon Lathrop.

Chautauque—Alvin Plumb, Nathaniel Gray.

Chenango—Austin Hyde, Abel Chandler, William M. Patterson.

Clinton—Miles Stevenson.

Columbia—Anthony Boucher, Bastian C. Lasher, John Murdock.

Cortland—David Matthews, Enoch S. Halbert.

Delaware—Stoddart Stevens, John Edgerton.

Dutchess—Henry Conklin, Daniel D. Akin, Joel Brown, George Lambert.

Erie—Horace Clark, William Mills.

Essex—Almerin Smith.

Franklin—Jabez Parkhurst.

Genesee—Charles Woodworth, Peter Patterson, Rufus Robertson.

Greene—Henry Goslee, William Pierson.

Herkimer—Sherman Wooster, Dudley Burwell, Joseph M. Prendergast.

Jefferson—William H. Angel, John Burch, Jotham Ives.

Kings—Coe S. Downing.

Lewis—Eli Rogers junior.

Livingston—George W. Patterson, Samuel W Smith.

Madison—Erastus Cleaveland, John Davis, Jesse Kilborn.

Monroe—Timothy Childs, Milton Sheldon, Levi Pond.

Montgomery—Douw A. Fonda, William Carlisle, Cornelius Maybee.

New-York—Charles L. Livingston, Gideon Ostrander, John M'-Keon, Thomas Herttell, Robert H. Morris, Minthorne Tompkins, Richard Cromwell, Benjamin Ringgold, Isaac L. Varian, Mordecai Myers, Silas M. Stilwell.

Niagara—Henry Norton.

Oneida—Squire Utley, Ichabod C. Baker, David Wager, Levi Buckingham, John Dewey.

Onondaga—Elisha Litchfield, Asa Eastwood, Myron L. Mills, Gabriel Tappen.

Ontario—John C. Spencer, James H. Woods, Ephraim W. Cleaveland.

Orange—Isaac R. Van Duzer, James Finch, Ezra Keeler.

Orleans—Asahel Byington.

Oswego—Avery Skinner.

Otsego—William Baker, Robert C. Lansing, Hiram Kinne, Philo Bennett.

Putnam—John Garrison.

Queens—Thomas B. Jackson.

Rensselaer—William P. Haskin, Seth Parsons, Alonzo G. Hammond, John I. Kittle.

Richmond—Jacob Mersereau.

Rockland—James Delamontanya.

Saratoga—Ebenezer Couch, Ephraim Stevens, George Reynolds.

St. Lawrence—William Allen, Sylvester Butrick.

Schenectady—Cornelius C. Van Vranken.

Schoharie—Martinus Mattice, Jacob L. Lawyer.

Seneca—John De Mott, Reuben D. Dodge.

Steuben—William Kernan, William Hunter.

Suffolk—David Hedges junior, William Wicks.

Sullivan—James C. Curtis.

Tioga—Jacob Westlake, Thomas Farrington.

Tompkins—Ira Tillotson, Daniel B. Swartwood, Thomas Bishop.

Ulster—Joseph Jansen, Gordon Craig.

Warren—Nicholas Rosevelt junior.

Washington—David Russell, Charles Rogers, Walter Cornell.

Wayne—Ambrose Salisbury, James Humeston.

Westchester—Israel H. Watson, Joseph H. Anderson, Horatio Lockwood.

Yates—Joshua Lee.

STATE OF NEW-YORK, }
Secretary's Office. }

I certify the preceding to be a true list of the names of Members of Assembly elected in this State, at the general election held in the month of November last, according to the official returns from each county clerk received at this office.

In testimony whereof, I have hereunto affixed the [L. S.] seal of this office, at the city of Albany, the 31st day of December, 1832.

A. C. FLAGG,
Secretary of State.

No 3.

IN ASSEMBLY,

January 2, 1833.

DOCUMENTS

Accompanying the Governor's Message.

Letter from His Excellency the Governor of the State of South-Carolina, to His Excellency the Governor of the State of New-York.

EXECUTIVE DEPARTMENT,
Columbia, (*S. C.*) *Dec.* 1, 1832.

SIR,

In compliance with a Resolution adopted in Convention by the People of South-Carolina in Convention assembled, I do myself the honor of transmitting you a copy of the Proceedings of that Body, with a request that you lay them before both branches of the Legislature of your State.

I have the honor to remain,

Very respectfully, your obedient Servant,

J. HAMILTON, Jun.

To His Excellency the Governor of the State of New-York.

DOCUMENTS,

Ordered by the Convention of the People of South-Carolina, to be transmitted to the President of the United States, and to the Governor of each State.

REPORT

Of the Committee of Twenty-one, to the Convention of the People of South-Carolina, on the subject of the several Acts of Congress, imposing duties for the protection of domestic manufactures, with the Ordinance to nullify the same.

IN CONVENTION, COLUMBIA, S. C.
November 24, 1832.

Resolved, That copies of the Ordinance just adopted by this Convention, with the Report thereon, and the Addresses to the People of the several States, and of this State, be transmitted by the Governor to the President of the United States, to be by him submitted to Congress, and also to the Governors of the several States, for the information of their respective Legislatures.

ATTEST,
J. W. HAYNE, *Clerk of the Convention.*

REPORT OF THE CONVENTION.

The Committee to whom was referred the "Act to provide for the calling of a Convention of the People of this State," with instructions "to consider and report thereon, and especially as to the measures proper to be adopted by the Convention in reference to the violations of the Constitution of the United States, in the enactments by Congress on divers occasions of laws laying duties and imposts, for the purpose of encouraging and protecting domestic manufactures, and for other unwarrantable purposes," beg leave respectfully to submit the following

REPORT.

The committee, deeply impressed with the importance of the questions submitted to them, and the weight of responsibility involved in their decision, have given to the subject their most deliberate and anxious consideration. In stating the conclusions to which they have arrived, they feel that it is due to themselves, to this Convention, and to the Public at large, briefly to review the history of the Protecting System in this country, to show its origin, to trace its progress, to examine its character, point out its evils, and suggest the appropriate remedy. They propose to execute this task with all possible brevity and simplicity, sensible that the subject is too well understood in all its bearings to require at this time a very elaborate investigation.

In the natural course of human affairs, the period would have been very remote when the people of the United States would have engaged in manufactures, but for the restrictions upon our commerce which grew out of the war between Great Britain and France, and which led to the non-intercourse act, the embargo, and finally our own war of 1812. Cut off by these events from a free commercial intercourse with the rest of the world, the people of the United States turned their attention to manufactures; and on the restoration of peace in 1815, an amount of capital had been already invested in these establishments, which made a strong appeal to the liberality—we might almost say to the justice of the country for protection, at least against that *sudden influx* of foreign goods which it was feared would entirely overwhelm these domestic establishments. When, therefore, in 1816, it became necessary that the Revenue should be brought down to the peace establishment, by a reduction of the duties upon imports, it was almost by common consent conceded to the claims of the manufacturers, that this reduction should be *gradual;* and three years were accordingly allowed for bringing down the duties to the permanent revenue standard, which, embracing all the ordinary expenses of the government, with liberal appropriations for the navy and the army, an extensive system of fortifications, and the gradual extinction of the public debt, (then amounting to $130,000,000,) was fixed at 20 per cent. If the manufacturers had at that time even hinted that permanent protection was deemed indispensable to their success; if the slightest suspicion had been entertained, that instead of the gradual reduction expressly provided for by the act of 1816, there would be claimed a *gradual increase* of the protecting duties; and that instead of being brought down in three years to 20 per cent, the duties were to be carried up to 50 or 100 per cent, and in many cases to prohibition, the painful contest in which the country has been engaged for the last ten years on this subject, would have commenced immediately; and it is confidently believed, that in the temper of the public mind at that time, ample security would have been found against the introduction of such a system. But in de-

fance of the clear understanding of the whole country, and in violation of the principles of justice and of good faith, that part of the act above mentioned which required that the duties should be reduced in three years to 20 per cent, was repealed, and a broad foundation thus laid for the permanent establishment of the protecting system. This system has been still further extended and fortified by the several successive acts of 1820, 1824 and 1828, until, by the passing of the act of 1832, (to take effect after the discharge of the public debt,) it has become incorporated into our political system, as the "SETTLED POLICY OF THE COUNTRY." We have not deemed it necessary, in tracing the origin and progress of this system, to go further back than the commercial restrictions which preceded the late war; for whatever theoretical opinions may have been expressed by Alexander Hamilton and others in relation to it at an earlier period, it cannot be denied that no duties were actually imposed beyond those deemed indispensable for the public exigencies; and that prior to the year 1816, no protection whatever was actually extended to manufactures, beyond what was strictly incidental to a system for revenue. The *discrimination* between the *protected* and *unprotected* articles, now contended for as the very corner stone of the protecting system, was so far from being established by that act, that the highest duties were actually imposed on the very articles now admitted duty free, while the foreign manufactures which came into competition with our domestic fabrics were subjected to a lower rate of duty. The truth then unquestionably is, that the protecting policy, according to the principles now contended for, was never introduced into this country until the period we have mentioned, when it crept insidiously into the legislation of Congress in the manner above described. This will be made abundantly manifest to every one who will take the pains to trace the progress of the duties from 7½ per cent in 1790, up to 25 per cent in 1816, 40 per cent in 1824, and 50, 60, and even 100 per cent in 1828 and 1832, and who will merely examine the manner in which these duties were adjusted in the various acts here referred to. As early as 1820—so soon indeed as the capitalists who had relied upon the powers of the Federal Government to enhance the profits of their investments by legislation, began to look forward to its eventual establishment as the settled policy of the country—they clearly perceived that an extension of the appropriations to objects not embraced in the specific grants of the Federal Constitution, was the necessary appendage of their system. They well knew that the people would not long submit to the levying of a large surplus revenue merely for the protection of manufactures, carried on almost exclusively in one quarter of the Union; and they therefore sought, in the extension of the appropriations to new objects, for a plausible and popular excuse for the continuance of a system of high duties. With that instinctive sagacity which belongs to men who convert the legislature of a country into an instrument for the promotion of their own private ends, they clearly saw that the distribution of an enormous surplus treasure would afford the surest means of bringing over the enemies of the American System to its

support, and of enlisting in their cause not only large masses of the people, but entire States who had no direct interest in maintaining the protecting system, or who were even in some respects its victims. No scheme that the wit of man could possibly have devised, was better calculated for the accomplishment of this object. It proposed simply to reconcile men to an unjust system of national policy, by admitting them to a large share of the spoils; in a word, to levy contributions by the aid of those who were to divide the plunder. If the United States had constituted one great nation, with a consolidated government, occupying a territory of limited extent, inhabited by a people engaged in similar pursuits, and having homogeneous interests, such a system would only have operated as a tax upon all the other great interests of the State, for the benefit of that which was favored by the laws; and when time had been allowed for the adjustment of society to this new condition of its affairs, the final result must have been an aggregate diminution of the profits of the whole community, by diverting a portion of the people from their accustomed employments to less profitable pursuits. In such a case, the hope might perhaps have been indulged that experience would demonstrate the egregious folly of enacting laws, the only effect of which would be to supply the wants of the community at an increased expense of labor and capital. But it is the distinguishing feature of the American System, and one which stamps upon it the character of peculiar and aggravated oppression, that it is made applicable to a CONFEDERACY of twenty-four Sovereign and Independent States; occupying a territory upwards of 2000 miles in extent; embracing every variety of soil, climate and productions; inhabited by a people whose institutions and interests are in many respects diametrically opposed to each other; with habits and pursuits infinitely diversified; and, in the great Southern section of the Union, rendered by local circumstances altogether incapable of change. Under such circumstances, a system which, under a consolidated government, would be merely impolitic, and so far an act of injustice to the whole community, becomes in this country a scheme of the most intolerable oppression, because it may be, and has in fact been, *so adjusted* as to operate exclusively to the benefit of a particular interest, and of particular sections of country, rendering in effect the industry of one portion of the confederacy tributary to the rest. The laws have accordingly been so framed as to give a direct pecuniary interest to a sectional majority, in maintaining a grand system, by which taxes are in effect imposed upon the few for the benefit of the many, and imposed too by a system of indirect taxation so artfully contrived as to escape the vigilance of the common eye, and masked under such ingenious devices as to make it extremely difficult to expose their true character. Thus under the pretext of imposing duties for the payment of the public debt, and providing for the common defence and general welfare, (powers expressly conferred on the Federal Government by the Constitution,) acts are passed, containing provisions designed exclusively and avowedly for the purpose of securing to the American manufacturers a monopoly in our own markets, to the

great and manifest prejudice of those who furnish the agricultural productions which are exchanged in foreign markets for the very articles which it is the avowed object of these laws to exclude. It so happens that six of the Southern States, whose industry is almost exclusively agricultural, though embracing a population equal to only one-third part of the whole Union, actually produce for exportation near $40,000,000 annually, being about two-thirds of the whole domestic exports of the United States. As it is their interest, so it is unquestionably their right, to carry these fruits of their own honest industry to the best market, without any molestation, hindrance or restraint whatsoever, and subject to no taxes or other charges but such as may be necessary for the payment of the reasonable expenses of the government. But how does this system operate upon our industry? While imposts to the amount of 10 or 12 per cent (if arranged on just and equal principles,) must be admitted to be fully adequate to all the legitimate purposes of government, duties are actually imposed (with a few inconsiderable exceptions) upon all the Woollens, Cottons, Iron and Manufactures of Iron, Sugar and Salt, and almost every other article received in exchange for the Cotton, Rice and Tobacco of the South, amounting on an average to about 50 per cent; whereby (in addition to the injurious effects of this system in prohibiting some articles, and discouraging the introduction of others,) a tax equal to one half of the first cost is imposed upon the Cottons, Woollens and Iron, which are the fruits of Southern industry, in order to secure an advantage in the home market to their rivals the American manufacturers of similar articles, equivalent to one-half of their value; thereby stimulating the industry of the North, and discouraging that of the South, by granting bounties to the one, and imposing taxes upon the other.

The Committee deem it unnecessary to go into an elaborate examination of the true character and sectional operation of the protecting system. The subject has of late been so frequently and thoroughly examined, and the bearing of the System been so completely exposed, that the argument is exhausted. To the people of the Southern States, there cannot be presented a more touching or irresistible appeal either to their understandings, or their hearts, than is found in the melancholy memorials of ruin and decay, which are every where visible around us,—memorials proclaiming the fatal character of that system, which has brought upon one of the finest portions of the globe, in the full vigor of its early manhood, the poverty and desolation, which belong only to the most sterile regions, or to the old age and decrepitude of nations. The moral blight and pestilence of unwise and partial legislation, has swept over our fields, with "the besom of destruction." The proofs are every where around us.

It is in vain for any one to contend that this is a just and equal system, or that the Northern States pay a full proportion of the tax. If this were so, how is it to be accounted for, that high duties are regarded in that quarter of the Union, not as a burden, but as a blessing?

How comes it that a people, certainly not unmindful of their interests, are seen courting the imposition of taxes, and crying out against any material reduction of the public burdens? Does not this extraordinary fact afford conclusive evidence that high duties operate as a bounty to Northern industry; and that whatever taxes the manufacturers may pay, as consumers, they are more than remunerated by the advantages they enjoy as producers?—or, in other words, that they actually receive more than they pay, and therefore, cannot be justly said to be taxed at all—When in addition to all this, we take into consideration that the amount of duties annually levied for the protectiou of manufactures, beyond the necessary wants of the Government, (which cannot be estimated at less than 10 or 12,000,000) is expended almost exclusively in the Northern portion of the Union,—can it excite any surprise, that under the operation of the Protecting System, the manufacturing States should be constantly increasing in riches and growing in strength, with an inhospitable climate and barren soil, while the Southern States, the natural garden of America, should be rapidly falling into decay. It is contrary to the general order of Providence, that any country should long bear up against a system, by which enormous contributions, raised in one quarter, are systematically expended in another. If the sixteen millions of dollars now annually levied in duties on the foreign goods received in exchange for Southern productions, were allowed to remain in the pockets of the people, or by some just and equal system of appropriation could be restored to them, the condition of the plantation States would unquestionably be one of unexampled prosperity and happiness. Such was our condition under a system of free trade, and such would soon again be our enviable lot. Of the results which would thereby be produced, some faint conception may be formed by imagining what would be the effect upon the industry of the people of our own State, if the $8,000,000 of foreign goods now annually received in exchange for our productions, and paying duties to the amount of upwards of $3,000,000, could be obtained by us duty free, or the duties thus levied, were expended within our own limits. Is it not obvious that several millions per annum would thereby be added to the available industry of S. Carolina? the effect of which would assuredly be, to change the entire face of affairs in this State, by enhancing the profits of the agriculturist, accumulating capital,—giving a fresh impulse to commerce, and producing a vivifying influence upon every department of industry, the happy consequences of which would be experienced by every inhabitant of the State. We present this strong view of the subject to shew the manifest justice of the claim which South Carolina now sets up to have this system of raising revenue by duties upon imports *restricted within the narrowest limits*, and to shew how utterly impossible it is for us to consent to have it extended beyond the indispensable wants of the government either for the purpose of affording protection to the industry of others, or of distributing the proceeds among individuals or States.

Grievous, however, as the oppression unquestionably is, and calculated in the strong language of our own Legislature, "to reduce the Plantation States to POVERTY and UTTER DESOLATION," it is not in this aspect that the question is presented in its most dangerous and alarming form. It is not merely that Congress have resorted for unwarrantable purposes to an oppressive exercise of powers *granted* to them by the Constitution; but that they have *usurped a power not granted*, and have justified that usurpation on principles, which, if sanctioned or submitted to, must entirely change the character of the Government, reduce the Constitution to a dead letter, and on the ruins of our confederated republic, erect a consolidated despotism, "without limitation of powers."—If this be so, there is no man who is worthy of the precious heritage of liberty derived from our ancestors, or who values the free institutions of his country, who must not tremble for the cause of freedom, not only in this country, but throughout the world, unless the most prompt and efficient measures are at once adopted, to arrest the downward course of our political affairs, to stay the hand of oppression, to restore the Constitution to its original principles, and thereby to perpetuate the Union.

It cannot be denied that the Government of the U. States possesses no inherent powers. It was called into being by the States. The States not only created it, but conferred upon it all its powers, and prescribed its limits by a written charter called the Constitution of the U. States. Before the Federal Government had thus been called into being, the several States unquestionably possessed as full sovereignty, and were as independent of each other as the most powerful nations of the world; and in the free and undisputed exercise of that sovereignty, they entered into a solemn compact with each other, by which it was provided, that for certain specified objects, a General Government should be established with strictly limited powers;—the several States retaining their sovereignty unimpaired, and continuing to exercise all powers not expressly granted to the Federal Government.

In the clear and emphatic language of Mr. Jefferson, "the several States composing the United States of America, are not united on the principle of unlimited submission to the General Government, but by a compact under the style and title of the Constitution of the United States, they constituted a General Government for special purposes, delegated to that Government certain definite powers, reserving each State to itself the residuary mass of right to their own self-government, and whensoever the General Government assumes undelegated powers, its acts are unauthoritative, void, and of no force."* That such is the true nature of the federal compact, cannot admit of a reasonable doubt, and it follows of necessity, that the Federal Government is merely a joint agency, created by the States—that it can exert no power not expressly granted by them, and that when it claims any power, it must be able to refer to the clause in the charter which confers it. This view of the Constitu-

* See Kentucky Resolutions of 1798.

tion of the U. States, brings the question of the constitutionality of the Tariff within the narrowest limits.

The regulation of *domestic industry*, so far as Government may rightfully interfere therewith, belonged to the several States before the Constitution was adopted, or the Union sprang into existence; and it still remains exclusively with them, unless it has been expressly granted to the Federal Government. If such a grant has been made, it is incumbent on those claiming, under it, to point out the provision in the Constitution which embraces it. It must be admitted that there is not a clause or article in that instrument, which has the slightest allusion, either to manufactures or to agriculture: while, therefore, the "regulation of commerce" is expressly conferred on the General Government, the regulation of every branch of domestic industry is reserved to the several States, exclusively, who may afford them encouragement, by pecuniary bounties, and by all other means, not inconsistent with the Constitution of the United States. To say that the power to regulate commerce, embraces the regulation of agriculture, and manufactures, and all the other pursuits of industry, (for they all stand upon the same footing,) is to confound the plainest distinctions, and to lose sight of the true meaning and intent of the grant in question. Commerce is, in general, regulated by treaties with foreign Nations; and, therefore, it was deemed necessary, that this power should be confided to the General Government; but agriculture, manufactures, and the mechanic arts can only be wisely ordered by municipal regulation. Commerce is one object of legislation, manufactures another, agriculture a third; and if the regulation of commerce implies an unlimited control over every thing which constitutes the object of commerce, it would follow, as a matter of course, that the Federal Government may exert a supreme dominion over the whole labour and capital of the country. This would transform our confederated Government, with strictly limited powers, into an absolute despotism, and of the worst sort, where, under the forms of a free Government, we should have the spirit of a despotic one. This view of the subject, we should deem perfectly conclusive, even if it could not be shewn that the power in question, so far from being granted, was purposely withheld from the Federal Government, by the framers of the Constitution; and that there are provisions of the Constitution, from which it may be fairly inferred, that it was intended to be reserved to the States respectively. It appears from the history of the proceedings of the Convention which framed the Constitution, that the subject of the PROTECTION of *manufactures*, was several times brought distinctly to the view of that body, and that they did not see fit to grant to the Federal Government the power in question. In the original proposition, to confer on Congress the power to impose "duties, imposts and excises," was embraced "*prohibitions* and *restraints*," which may well be supposed to be intended to embrace the protection of manufactures; but it is remarkable, that these words were omitted in the Report of the Committee, on that clause. On the 18th of August a motion was made, "to establish rewards

and immunities, for the promotion of agriculture, commerce, trades and *manufactures*;" but this position also failed. On a subsequent day, it was moved, that there should be "a Secretary of Domestic Affairs, &c., whose duty it should be to attend to matters of general police, the state of *agriculture* and *manufactures*, the opening of roads and navigation, and facilitating of intercourse through the United States; and that he shall, from time to time, recommend such measures and establishments as may tend to promote these objects." This proposition likewise failed, the Constitution containing no provision in conformity therewith.

Now, as it is utterly impossible that these several propositions, embracing imposts, duties, prohibitions and restraints, and the encouragement of manufactures, could have been disposed of, without bringing the whole question of domestic manufactures fully into view, it must follow, that, as no power was given to Congress over *manufactures*, while the power to regulate *commerce* is expressly conferred, it was not the intention of the framers of the Constitution, to entrust this power to Congress. Although repeatedly urged to confer such a power, they constantly refused it; and the Constitution, as finally ratified, contains no provision whatever upon the subject. In the report of Luther Martin, a delegate from Maryland, made to the Legislature of his State, an explanation is given of the proceedings of the Convention in relation to this matter, which removes every shadow of doubt with regard to the true meaning and intent of the framers of the Constitution, in relation to the protection of manufactures. It appears from this statement, that, as the encouragement of manufactures had been refused to be conferred upon the Federal Government, it was the desire of Mr. Martin and others, to reserve to the states all the means which they supposed to be necessary for affording effectual encouragement to manufactures within their own limits. Among those, it was presumed "that there might be cases in which it would be proper for the purpose of encouraging manufactures to lay duties to prohibit the exportation of raw materials, and even in addition to the duties laid by Congress on imports *for the sake of revenue*, to lay a duty to DISCOURAGE THE IMPORTATION OF PARTICULAR ARTICLES into a State, or to enable the manufacturer here to supply as on as good terms as could be obtained from a foreign market."* Here it will be seen that it is positively stated by Mr. Martin, that the power given to Congress to *impose duties upon imports*, was given expressly "*for the sake of revenue*," and was not considered as extending to any duty "to discourage the importation of particular articles, for the purpose of encouraging manufactures," and that it was considered that unless the several States should possess this power as well as that of prohibiting the exportation of certain raw materials, they would not be enabled to extend that complete protection to their own manufactures which might be deemed indispensable to their success. "The most, however," says Mr. Martin, "which we could obtain was, that this

* Yates' Secret Debates in the Convention, p. 71.

power might be exercised by the States, by and with the consent of Congress, and subject to its control." Thus, then, it manifestly appears, that in relation to manufactures, the framers of the Constitution positively refused to confer upon the Federal Government, any power whatever; that the power to lay duties, &c. was conferred for the sake of revenue alone, and was not intended to embrace the power to lay duties "to discourage the importation of particular articles to enable the manufacturers here to supply us on as good terms as could be obtained from a foreign market;" and, finally, that the whole subject was left in the hands of the several States, with the restriction, "that no State shall, without the consent of Congress, lay any impost or duties on imports or exports, except what may be absolutely necessary for executing their inspection laws." This power, it appears, was expressly inserted for the purpose of enabling the States to protect their own manufactures; and this, it seems, was the only provision which the friends of domestic industry could obtain. It is vain to allege that the powers retained by the States on this subject, are inadequate to the effectual accomplishment of the object. If this were so, it would only shew the necessity of some further provision on this subject; but surely it will not be pretended that it would justify the usurpation, by Congress, of a power, not only not granted by the Constitution, but purposely withheld.

We think, however, that this exposition of the Constitution places the protection of manufactures on the true foundation, on which it should stand in such a government as ours. Nothing can be more monstrous, than that the industry of one or more States in this confederacy, should be made profitable at the expense of others, and this must be the inevitable result of any scheme of legislation by the General Government, calculated to promote manufactures by restrictions upon commerce or agriculture. But leave manufactures where agriculture and other domestic pursuits have been wisely left by the Constitution—with the several States—and ample security is furnished that no preference will be given to one pursuit over another, and if it should be deemed advisable in any particular State, to extend encouragement to manufactures, either by direct appropriations of money, or in the way pointed out in the article of the Constitution above quoted, that this will be done, not at the expense of the rest of the Union, but of the particular State whose citizens are to derive the advantages of those pursuits. Should Massachusetts, for instance, find it to her advantage to engage in the manufacture of woollens or cottons, or Pennsylvania be desirous of encouraging the working of her iron mines, let those States grant bounties out of their own treasuries, to the persons engaged in these pursuits; and should it be deemed advisable to encourage their manufactures by duties, "discouraging the importation of similar articles" in these respective States, let them make an application to Congress, whose consent would doubtless be readily given to any acts of those States, having these objects in view. The manufacturers of Massachusetts and Pennsylvania would thus be encouraged at the expense of the people of

these States respectively. But when they claim to do more than this—to encourage their industry at the expense of the industry of the people of the other States, to promote the *Manufactures of the North*, at the expense of the *Agriculture of the South*, by *restrictions upon Commerce*—in a word, to secure a monopoly for their manufactures, not only in *their own market*, but throughout the United States, then we say, that the claim is unjust, and cannot be granted consistently with the principles of the Constitution, or the great ends of a *Confederated Government*. We shall not stop to inquire whether, as has been urged with great force, that provision of the Constitution which confers the power upon Congress "to promote the progress of science and the useful arts, by securing for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries," does not, by a necessary implication, deny to Congress the power of promoting the useful arts, (which include both agriculture and manufactures) by any other means than those here specified. It is sufficient for our purpose to shew, that the power of promoting manufactures as a distinct substantive object of legislation has no where been granted to Congress. As to the incidental protection that may be derived from the rightful exercise of the power, either of regulating commerce, or of imposing taxes, duties and imposts, for the legitimate purposes of government—this certainly may be as freely enjoyed by manufactures as it must be by every other branch of domestic industry. But as the power to regulate commerce, conferred expressly for its security, cannot be fairly exerted for its destruction, so neither can it be perverted to the purpose of building up manufacturing establishments—an object entirely beyond the jurisdiction of the Federal Government—so also the power to levy taxes, duties, imposts and excises, expressly given for the purpose of raising *revenue*, cannot be used for the discouragement of importations, for the purpose of promoting manufactures, without a gross and palpable violation of the plain meaning and intent of the federal compact. Acts may be passed on these subjects, falsely purporting, on their face, to have been enacted for the purposes of raising revenue and regulating commerce; but if in truth they are designed, (as the acts of 1824, 1828, and 1832, *confessedly* and avowedly have been,) for an entirely different purpose, viz: for the encouragement and promotion of manufactures, the violation of the Constitution is not less gross, deliberate and palpable, because it assumes the most dangerous of all forms, *a violation by perversion*, the use of a power granted for one purpose, for another and a different purpose, in relation to which Congress has no power to act at all. On the whole, even from the very brief and imperfect view which we have here taken of this subject, we think we have demonstrated that the protecting system is as GROSS and PALPABLE a VIOLATION of the CONSTITUTION, according to its true spirit, intent and meaning, as it is unquestionably UNEQUAL, OPPRESSIVE and UNJUST in its bearing upon the great interests of the country, and the several sections of the Union.

But great as are the evils of the American System, fatal as it assuredly must be to the prosperity of a large portion of the Union, and gross as is the violation of the letter and spirit of the Constitution which it perpetrates, the consequences which must inevitably result from the establishment of the pernicious principles on which it is founded, are evils of still greater magnitude. An entire change in the character of the government is the natural and necessary consequences of the application to the Constitution of those latitudinous rules of construction, from which this system derives its existence, and which must "consolidate the States by degrees into one sovereignty; the obvious tendency and inevitable result of which would be to transform the present representative system of the United States into a monarchy."*

We fearlessly appeal to all considerate men, whether it be, in the nature of things, possible to hold together such a confederacy as ours, by any means short of a military despotism, after it has degenerated into a CONSOLIDATED GOVERNMENT—that is to say, after it shall come to be its established policy to exercise a *general legislative control* over the interests and pursuits of the whole American people.

Can any man be so infatuated as to believe, that Congress could regulate wisely the whole labor and capital of this vast confederacy? Would it not be a burden too grievous to be borne, that a great central government, necessarily ignorant of the condition of the remote parts of the country, and regardless perhaps of their prosperity, should undertake to interfere with their domestic pursuits, to control their labor, to regulate their property, and to treat them in all respects as DEPENDANT COLONIES, governed not with referance to their own interests, but the interests of others? If such a state of things must be admitted to be altogether intolerable, we confidently appeal to the sober judgment and patriotic feelings of every man who values our free institutions and desires to preserve them—whether the progress of the government towards this result has not of late years been rapid and alarming? and whether, if the downward course of our affairs cannot be at once arrested—the consummation of this system is not at hand? No sooner had Congress assumed the power of building up manufactures, by successive tariffs—calculated and intended to drive men from agriculture and commerce into more favored pursuits—than internal improvements sprung at once into vigorous existence. *Pensions* have been enlarged to an extent not only before unknown in any civilized country, but they have been established on such principles, as manifest the settled purpose of bestowing the public treasure in gratuities to particular classes of persons and particular sections of country. *Roads* and *canals* have been commenced and surveys made in certain quarters of the Union, on a scale of magnificence, which evinces a like determination to distribute the public wealth into new and favored channels; and it is in entire accordance both with the theory and practice of this new system;

* Madison's Report.

that the General Government should absorb all the authority of the States, and eventually become the grand depository of the powers, and the general guardian and distributer of the wealth of the whole Union. It is known to all who have marked the course of our national affairs that Congress has undertaken to create a BANK, and have already assumed jurisdiction over *science* and the *arts*, over *education* and *charities*, over *roads* and *canals*, and almost every other subject formerly considered as appertaining exclusively to the States, and that they claim and exercise an *unlimited control* over the appropriation of the *public lands* as well as of the *public money*. On looking indeed to the legislation of the last ten years, it is impossible to resist the conviction that a fatal change has taken place in the whole policy and entire operation of the Federal Government—that in every one of its departments it is both in theory and practice rapidly verging towards Consolidation.—Asserting judicial supremacy over the sovereign States, extending EXECUTIVE PATRONAGE and influence to the remotest ramifications of society, and assuming legislative control over every object of local concernment, thereby reducing the States to petty corporations, shorn of their sovereignty, mere parts of one great whole, standing in the same relation to the Union as a county or parish to the State of which it is a subordinate part.

Such is the true character, and such the inevitable tendencies of the AMERICAN SYSTEM. And when the case thus plainly stated, is brought home to the bosoms of patriotic men, surely it is not possible to avoid the conclusion, that a political system founded on such principles must bear within it the seeds of premature dissolution—and that though it may for a season be extended, enlarged and strengthened, through the corrupting influence of patronage and power, until it shall have embraced in its serpent folds all the great interests of the State, still the time must come when the people, deprived of all other means of escape, will rise up in their might, and release themselves from this thraldom, by one of those violent convulsions, whereby society is uprooted from its foundations, and the edict of REFORM is written in BLOOD.

Against this system South Carolina has remonstrated in the most earnest terms. As early as 1820, there was hardly a district or parish in the whole State from which memorials were not forwarded to Congress, the general language of which was, that the protecting system was "utterly subversive of their rights and interests."—Again in 1823 and 1827, the people of this State rose up almost as one man, and declared to Congress and the world, "that the protecting system was unconstitutional, oppressive and unjust." But these repeated remonstrances were answered only by repeated injuries and insults—by the enacting of the tariffs of 1824 and 1828. To give greater dignity, and if possible more effect to these appeals, the Legislature, in December, 1825, solemnly declared, "that it was an unconstitutional exercise of power on the part of Congress to lay duties to protect domestic manufactures;" and in 1828, they caused to be presented to the Senate of the United States, and claimed to have it recorded on its Journals, the solemn

PROTEST of the State of South Carolina, denouncing this system as "*utterly unconstitutional, grossly unequal and oppressive, and such an abuse of power as was incompatible with the principles of a free government, and the great ends of civil society,*" and that they were "*then* only restrained from the assertion of the sovereign rights of the State, by the hope that the magnanimity and justice of the good people of the Union would effect an abandonment of a system partial in its nature, unjust in its operation, and not within the powers delegated to Congress." And finally, in December, 1830, it was Resolved, "That the several Acts of Congress imposing duties on imports, for the protection of domestic manufactures, are highly dangerous, and oppressive violations of the constitutional compact; and that whenever the States which are suffering under the oppression shall lose all reasonable hope of redress from the wisdom and justice of the Federal Government, it will be their right and duty to interpose, in their sovereign capacity, for the purpose of arresting the progress of the evil occasioned by the said unconstitutional acts."

Nor has South Carolina stood alone in the expression of these sentiments: Georgia and Virginia, Alabama and Mississippi, and North Carolina have raised their voices in earnest remonstrances and repeated warnings. Virginia, in 1828, in responding to South Carolina, declared "that the Constitution of the United States, being a federative compact between sovereign States, in construing which no common arbiter is known, each State has a right to construe the compact for itself; and that Virginia, as one of the high contracting parties, feels itself bound to declare, and does hereby most solemnly declare its deliberate conviction, that the acts of Congress usually denominated the Tariff Laws, passed avowedly for the protection of domestic manufactures, are not authorized by the plain construction, true intent and meaning of the Constitution."

Georgia, through her Legislature, pronounced this system to be one "which was grinding down the resources of one class of the States to build up and advance the prosperity of another of the same confederacy—and which they solemnly believed to be contrary to the letter and spirit of the Federal Constitution," and declared it to be the right of the several states, in case of any infraction of the general compact, "to complain, remonstrate, and even *refuse obedience* to any measure of the General Government manifestly against and in violation of the Constitution; that otherwise the law might be violated with impunity, and without redress, as often as the majority might think proper to transcend their powers, and the parts injured would be bound to yield an implicit obedience to the measure, however unconstitutional, which must tend to annihilate all sovereignty and independence of the States and consolidate all power in the General Government, which never was designed nor intended by the framers of the Constitution."

Alabama also protested against "the attempt to exclude the foreign in favor of the domestic fabrics, as the exercise of a power not granted by the Constitution," and concluded by stating "that

she wished it to be distinctly understood, that in common with the other Southern and South-Western States, she regards the power asserted by the General Government to control her *internal concerns* by protecting duties, as a *palpable usurpation* of powers, not given by the Constitution, and a species of oppression little short of legalized pillage."

North Carolina, in the same spirit, declared that while "it was conceded that Congress have the express power to lay imposts, she maintains that that power was given for the purpose of *Revenue*, and Revenue alone, and that every other use of the power is an usurpation on the part of Congress." And finally, the Legislature of Mississippi, "Resolved, That the State of Mississippi concurs with the States of Georgia, South Carolina and Virginia, in their different resolutions upon the subject of *the Tariff*, Colonization Society and Internal Improvement."

It has been in the face of all these remonstrances and protests, and in defiance of these repeated warnings and solemn declarations, that the recent modification of the Tariff, by the Act of 1832 was effected. The period of the final extinction of the Public Debt had been looked to as the crisis of our fate, when the policy of the country in reference to the Protective System was to be finally settled. It was the period assigned by common consent, as the utmost limit of the forbearance of South Carolina, whose citizens felt that in the adoption of that System, their Constitutional Rights had been trampled on, and their dearest interests cruelly sacrificed.

No one could fail to perceive, that when every pretext for the continuance of the high duties under which the Southern States had suffered for so many years, was taken away by the payment of the National Debt, and the consequent relief of the Treasury from an annual demand of twelve million of dollars, that no reason could be given why these duties should not be brought down to the revenue standard, except that it was deliberately designed to secure to the Manufacturers forever, the monopoly they had so long enjoyed, at the expense of the other great interests of the country.

We find accordingly, that the new Tariff, which is intended to take effect, only after the final extinguishment of the Public Debt, has been arranged and adjusted with a single eye, to the perpetuation of this System; and with an entire disregard of the just claims of the Plantation States. Whatever may be the amount of the aggregate reduction effected by this bill; (and it is not pretended in the *latest* Treasury estimate, to exceed $5,000,000, of which near 4,000,000 of dollars are on the unprotected articles,) it is not denied that it will leave a surplus of many millions in the Treasury, beyond the usual expenses or necessary wants of the Government, and it is notorious—nay, it appears on the face of the Bill itself, that while duties to the amount of 40—50 and even 100 per cent. are still to be levied upon the protected articles, (that is to say, upon all the Cottons, Woollens, and Iron, the Sugar and the Salt, and other articles embraced in the Protecting System;) the duties on the unprotected articles, have been reduced greatly below the revenue standard, and upwards of $3,000,000 entirely repealed; so that according to this System, as

now established, a large surplus revenue to be applied to Internal Improvements and other unwarrantable purposes, is to be levied by the imposition of enormous Taxes on the necessaries of life, the very articles received chiefly in exchange for Southern productions; and this has been done, in order to protect the industry of the North, with which ours comes into competition, while the articles of luxury universally acknowledged to be the fittest subjects for Taxation, are to be admitted, duty free.*

Now, let it be remembered, that the very point in controversy, has all along been, not the *Revenue*, but the *Protecting* duties, and yet we see, that in answer to all our petitions and remonstrances, Congress has been graciously pleased to make an adjustment of the Tariff, which simply consists in taking off the duties imposed for Revenue, while the protecting duties are allowed to remain substantially untouched. It was not so much the amount of the imposition, as the inequality and injustice of the Protecting System, that has roused the people of South Carolina to determined resistance, and yet we find, that this inequality has been aggravated, and that injustice, perpetuated by the deliberate adoption of a measure, which was calculated and intended to rivet this System upon us, beyond all hope of relief.

The grave and solemn question now occurs, what is to be done to redeem ourselves from the state of Colonial vassalage into which we have unhappily fallen? Shall we still continue to wait for a returning sense of justice on the part of our oppressors? We are thoroughly persuaded, that the hope can no longer be indulged, that the tariff majority in Congress will, of their own accord, relieve us from this cruel bondage—experience teaches us that this expectation so long and fondly indulged, is utterly delusive. The only effect of further delay must be to strengthen the hand of the oppressor, to crush the public spirit—deaden the sensibility of the people to the inestimable value of their rights—and teach them the degrading lesson of wearing their chains in patience. It is almost inconceivable that any reflecting man can believe that the crisis in our affairs arising from the final extinction of the public debt, should be suffered to pass away, without reducing the tariff to the revenue standard, and yet that such reduction may be expected to take place at some future period. What period so auspicious as that which has been allowed to pass away unimproved? Is any one so ignorant of human nature, as not to know that the annual surplus, which then will be brought into the Treasury, under the act of 1832, will be speedily absorbed by new and enlarged appropriations serving as additional props to a system, which some vainly imagine to be tottering on its base, ready to fall under its own weight? Even at the last session of Congress, the annual appropriations were enlarged by several millions of dollars, in anticipation of this expected surplus, and the foundation is already laid for its absorption; and when this shall be accomplished, where will be the hopes of those who now say that the evil is to correct itself, and

* See Treasury Estimate published in August last shewing an aggregate reduction of $5,187,-073, of which $3,108,531 were made *entirely free*.

who tell us that the act of 1832, which was in fact designed to rivet the system upon the country forever—and was hailed by its friends as "a clear, distinct, and indisputable admission of the principle of protection," is to be viewed as a blessed reform presenting the brightest auspices for the future? The truth unquestionably is, that the American System is from its very nature progressive. When its foundations were laid, it was foreseen and predicted that the great interests which it would build up, would exert a controlling influence over the legislation of the country. The history of the world indeed affords no example of a voluntary relinquishment by a favored class of any pecuniary or political advantage, secured to them by the laws and general policy of the country. Force has often torn from the hands of the oppressor, his unrighteous gains, but reason and argument are as vain in convincing the understanding, as appeals to justice and magnanimity have ever proved to be impotent in softening the hearts of those who are enriched under the operation of laws passed professedly for the public good. Who is there, that can for one moment believe that any thing short of a direct appeal to their interests will induce the dependants upon the Federal Government, the wealthy sugar planters and iron masters, or the joint stock companies, who have millions invested in cotton and woollen factories, yielding under the operation of the protecting system an annual income of 10 or 20 per cent, voluntarily to relinquish the advantage secured to them by the laws, and consent to come down to a level with the other classes of the community! It is impossible. From every view then which your committee have been able to take of this subject, they are constrained to announce to this Convention, the solemn truth that after more than ten years of patient endurance of a system, which is believed by the people of this state to be *fatal to their prosperity* and a *gross, deliberate*, and *palpable violation of their constitutional rights*—after the most earnest and unavailing appeals to that sense of justice, and those common sympathies, which ought to bind together the different members of a confederated republic, the crisis has at length arrived, when the question must be solemnly and finally determined, whether there remain any means, within the power of the State, by which these evils may be redressed?

It is useless to disguise the fact, or to attempt to delude ourselves on this subject; *the time has come* when the State must either adopt a *decisive course of action*, or we must at once *abandon the contest.* We cannot again petition—it would be idle to remonstrate, and degrading to protest. In our estimation it is now a question of *Liberty* or *Slavery*. It is now to be decided, whether we shall maintain the rights purchased by the precious blood of our fathers, and transmit them unimpaired to our posterity, or tamely surrender them without a struggle. We are constrained to express our solemn conviction, that under the protecting system, we have been reduced to a state of "colonial dependence, suffering and disgrace," and that unless we now fly with the spirit which becomes freemen to the rescue of our liberties, they are lost forever,—Brought up in an ardent devotion to the Union of the States, the

people of South Carolina have long struggled against the conviction, that the powers of the Federal Government have been shamefully perverted to the purposes of injustice and oppression. Bound to their brethren by the proud recollections of the past, and fond hopes of the future, by common struggles for liberty and common glories, acquired in its defence—they have been brought slowly, and with the utmost reluctance, to the conclusion, that they are shut out from their sympathies, and made the unpitied victims of an inexorable system of tyranny, which is without example in any country claiming to be free. Experience has at length taught us the lamentable truth, that administered as the government now is, and has been for several years past, in open disregard of all the limitations prescribed by the Constitution, the Union itself, instead of being a blessing must soon become a curse. Liberty we are thoroughly persuaded, cannot be preserved under our system without a sacred and inviolable regard not merely to the letter, but to the true spirit of the Constitution; and without liberty the Union would not be worth preserving. If then there were no other alternatives but to submit to these evils, or to seek a remedy even in Revolution itself, we could not without proving ourselves recreant to the principles hallowed by the example of our ancestors, hesitate a moment as to our choice. We should say, in the spirit of our fathers, "we have counted the cost, and find nothing so intolerable as voluntary slavery." But we cannot bring ourselves for one moment to believe that the alternatives presented to us are revolution or slavery. We confidently believe that there is a redeeming spirit in our institutions, which may on great occasions be brought to our aid for the purpose of preserving the public liberty—restoring the Constitution—and effecting a regeneration of the government, and thereby producing a redress of intolerable grievances, without war, revolution, or a dissolution of the Union. These great objects, we feel assured, may even now be effected, unless those who are in possession of the powers of the government and charged with the administration of our national affairs, shall resolve to persevere in a course of injustice, and prove by their conduct that they love the usurpation (to which the people of this State are unalterably determined not to submit) better than the Union. We believe that the redeeming spirit of our system is STATE SOVEREIGNTY, and that it results from the very form and structure of the Federal Government, that when the rights reserved to the several States are deliberately invaded, it is their right and their duty to "interpose for the purpose of arresting the progress of the evil of usurpation, and to maintain within their respective limits the authorities and privileges belonging to them as independent sovereignties."* If the several States do not possess this right, it is in vain that they claim to be sovereign. They are at once reduced to the degrading condition of humble dependents on the will of the Federal Government. South Carolina claims to be a sovereign State. She recognizes no tribunal upon earth as above her authority. It is true she has entered into a solemn com-

* Virginia Resolutions of '98.

pact of Union with other sovereign States, but she claims, and will exercise the right to determine the extent of her obligations under that compact, nor will she consent that any other power shall exercise the right of judgment for her. And when that compact is violated by her co-States, or by the government which they have created, she asserts her unquestionable right, "*to judge of the infractions*, as well as of the MODE and MEASURE OF REDRESS."*—South Carolina claims no right to judge for others. The States who are parties to the compact, must judge each for itself, whether that compact has been pursued or violated, and should they differ irreconcilably in opinion, there is no earthly tribunal, that can authoritatively decide between them. It was in the contemplation of a similar case, that Mr. Jefferson declared that if the difference could neither be compromised, nor avoided, it was the peculiar felicity of our system, to have provided a remedy in a Convention of all the States, by whom the Constitution might be so altered or amended, as to remove the difficulty. To this tribunal, South Carolina is willing that an appeal should now be made, and that the constitutional compact should be so modified as to accomplish all the great ends for which the Union was formed, and the Federal Government constituted, and at the same time, restore the rights of the States, and preserve them from violation hereafter. Your Committee purposely avoid entering here into an examination of the nature and character of this claim, which South Carolina asserts, to interpose her sovereignty, for the protection of her citizens from the operation of unconstitutional laws, and the preservation of her own reserved rights. In an Address, which will be submitted to the Convention, this subject will be fully examined, and they trust that it will be made to appear, to the entire satisfaction of every dispassionate mind, that in adopting the ORDINANCE which the Committee herewith report, declaring the Tariff laws passed for the protection of Domestic Manufactures, null and void, and not law, and directing the Legislature to provide, that the same shall not be enforced within the limits of this State—South Carolina will be asserting her unquestionable rights, and in no way violating her obligations under the Federal compact,

The Committee cannot dismiss this point, however, even for the present, without remarking that in asserting the principles, and adopting the course, which they are about to recommend, South Carolina will only be carrying out the doctrines, which were asserted by Virginia and Kentucky in 1798, and which have been sanctioned by the high authority of Thomas Jefferson. It is from the pen of this great apostle of liberty, that we have been instructed that to the Constitutional compact, "each State acceded as a State, and is an integral party, its co-States forming as to itself the other party," that "they alone being parties to the compact, are solely authorized to judge in the last resort of the powers exercised under it; Congress being not a party but merely the creature of the compact," that "it becomes a sovereign State, to submit to undelegated and consequently unlimited power in no man or

* Kentucky Resolutions of 1798.

body of men on earth; that in cases of abuse of the *delegated powers*, the members of the General Government being chosen by the people, a change by the people would be the Constitutional remedy, but where powers are assumed which have not been delegated [the very case now before us] A NULLIFICATION OF THE ACT IS THE RIGHTFUL REMEDY; that every State has a natural right in cases not within the compact [*casus non fœderis*] to NULLIFY of their own authority all assumption of power by others within their limits, and that without this right they would be under the dominion, absolute and unlimited, of whomsoever might exercise the right of judgment for them," and that in case of acts being passed by Congress "so palpably against the Constitution as to amount to an undisguised declaration, that the compact is not meant to be the measure of the powers of the General Government, but that it will proceed to exercise over the States all powers whatsoever, by seizing the rights of the States, and consolidating them in the hands of the General Government with a power assumed of binding the States, not merely in cases made federal, but in all cases whatsoever, by laws made, not with their consent, but by others against their consent, it would be the duty of the States to declare the acts void and of no force, and that *each should take measures of its own* for providing that neither such acts, nor any other of the General Government not plainly and intentionally authorized by the Constitution, shall be exercised within their respective territories."

In acting on these great and essential truths, South Carolina surely cannot err. She is convinced, and has so declared to Congress and the World, that the protecting system is in all its branches a "gross, deliberate, and palpable violation of the Constitution." She believes that after having exhausted every other means of redress in vain, it is her right, and that it has now become her solemn duty, to interpose for arresting the evil within her own limits, by declaring said acts "to be null and void and no law, and taking measures of her own that they shall not be enforced within her territory." That duty she means to perform, and to leave the consequences in the hands of *Him*, with whom are the issues of life and the destinies of nations.

South Carolina will continue to cherish a sincere attachment to the UNION of the States, and will to the utmost of her power endeavor to preserve it, "and believes that for this end, it is her duty to watch over and oppose any infraction of those principles which constitute the only basis of that union, because a faithful observance of them can alone secure its existence." She venerates the CONSTITUTION, and will protect and defend it "against every aggression either foreign or domestic," but above all, she estimates as beyond all price her LIBERTY, which she is unalterably determined never to surrender while she has the power to maintain it. Influenced by these views, your committee report herewith for the adoption of the Convention, a solemn DECLARATION and ORDINANCE.

AN ORDINANCE

To Nullify certain acts of the Congress of the United States, purporting to be Laws laying Duties and Imposts on the importation of Foreign Commodities.

WHEREAS, the Congress of the United States, by various acts, purporting to be acts laying duties and imposts on foreign imports, but in reality intended for the protection of domestic manufactures, and the giving of bounties to classes and individuals engaged in particular employments, at the expense and to the injury and oppression of other classes and individuals, and by wholly exempting from taxation certain foreign commodities, such as are not produced or manufactured in the United States, to afford a pretext for imposing higher and excessive duties on articles similar to those intended to be protected, hath exceeded its just powers under the Constitution, which confers on it no authority to afford such protection, and hath violated the true meaning and intent of the Constitution, which provides for equality in imposing the burdens of taxation upon the several States and portions of the Confederacy: And, Whereas, the said Congress, exceeding its just power to impose taxes and collect revenue for the purpose of effecting and accomplishing the specific objects and purposes which the Constitution of the United States authorises it to effect and accomplish, hath raised and collected unnecessary revenue, for objects unauthorized by the Constitution;

We, therefore, the people of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, that the several acts and parts of acts of the Congress of the United States, purporting to be laws for the imposing of duties and imposts on the importation of foreign commodities, and now having actual operation and effect within the United States, and more especially an act entitled "An act in alteration of the several acts imposing duties on imports," approved on the nineteenth day of May, one thousand eight hundred and twenty-eight; and also an act entitled "An act to alter and amend the several acts imposing duties on imports," approved on the fourteenth day of July, one thousand eight hundred and thirty-two, are unauthorized by the Constitution of the United States, and violate the true meaning and intent thereof, and are null, void, and no law, nor binding upon this State, its officers or citizens; and all promises, contracts and obligations made or entered into, or to be made or entered into with purpose to secure the duties imposed by the said acts, and all judicial proceedings which shall be hereafter had in affirmance thereof, are and shall be held utterly null and void:

And it is further ordained, that it shall not be lawful for any of the constituted authorities, whether of this State or of the United States, to enforce the payment of duties imposed by the said acts within the limits of this State; but it shall be the duty of the Legislature to adopt such measures and pass such acts as may be necessary to give full effect to this ordinance, and to prevent the enforcement and arrest the operation of the said acts and parts of acts of the Congress of the United States, within the limits of this State, from and after the first day of February next, and the duty of all other constituted authorities, and of all persons residing or being within the limits of this State, and they are hereby required and enjoined to obey and give effect to this ordinance and such acts and measures of the Legislature as may be passed or adopted in obedience thereto:

And it is further ordained that in no case of law or equity, decided in the courts of this State, wherein shall be drawn in question the authority of this Ordinance, or the validity of such act or acts of the Legislature as may be passed for the purpose of giving effect thereto, or the validity of the aforesaid acts of Congress, imposing duties, shall any appeal be taken or allowed to the Supreme Court of the United States, nor shall any copy of the record be permitted or allowed for that purpose, and if any such appeal shall be attempted to be taken, the courts of this State shall proceed to execute and enforce their judgments, according to the laws and usages of the State, without reference to such attempted appeal, and the person or persons attempting to take such appeal may be dealt with as for a contempt of court.

And it is further ordained, That all persons now holding any office of honor, profit, or trust, civil or military, under this State, (members of the Legislature excepted,) shall, within such time, and in such manner as the Legislature shall prescribe, take an oath, well and truly to obey, execute and enforce this Ordinance, and such act or acts of the Legislature, as may be passed in pursuance thereof, according to the true intent and meaning of the same, and on the neglect or omission of any such person or persons so to do, his or their office or offices shall be forthwith vacated, and shall be filled up as if such person or persons were dead, or had resigned; and no person hereafter elected to any office of honor, profit or trust, civil or military, (members of the Legislature excepted,) shall, until the Legislature shall otherwise provide and direct, enter on the execution of his office, or be in any respect competent to discharge the duties thereof, until he shall, in like manner, have taken a similar oath; and no juror shall be impannelled in any of the courts of this State, in any cause in which shall be in question this Ordinance or any act of the Legislature, passed in pursuance thereof, unless he shall first, in addition to the usual oath, have taken an oath, that he will well and truly obey, execute and enforce this Ordinance, and such act or acts of the Legislature as may be passed to carry the same into operation and effect, according to the true intent and meaning thereof:

And we, the people of South Carolina, to the end that it may be fully understood by the Government of the United States, and the people of the co-States, that we are determined to maintain this, our ordinance and declaration, at every hazard, do further declare, that we will not submit to the application of force on the part of the Federal Government, to reduce this State to obedience; but that we will consider the passage, by Congress, of any act authorizing the employment of a military or naval force against the State of South Carolina, her constituted authorities or citizens; or any act, abolishing or closing the ports of this State, or any of them, or otherwise obstructing the free ingress and egress of vessels, to and from the said ports; or any other act on the part of the Federal Government to coerce the State, shut up her ports, destroy or harrass her commerce, or to enforce the acts hereby declared to be null and void, otherwise than through the civil tribunals of the country, as inconsistent with the longer continuance of South Carolina in the Union: and that the people of this State will thenceforth hold themselves absolved from all further obligation to maintain or preserve their political connexion with the people of the other States, and will forthwith proceed to organise a separate Government, and do all other acts and things which sovereign and independent States may of right do.

Done in Convention, at Columbia, the twenty-fourth day of November, in the year of our Lord one thousand eight hundred and thirty-two, and in the fifty-seventh year of the Declaration of the Independence of the United States of America.

JAMES HAMILTON, Jun. *President of the Convention, and Delegate from St. Peters.*

James Hamilton, sen.
Richard Bohun Baker, sen.
Samuel Warren,
Nathaniel Heyward,
Robert Long,
J. B. Earle,
L. M. Ayer,
Benjamin Adams,
James Adams,
James Anderson,
Robert Anderson,
William Arnold,
John Ball,
Barnard E. Bee,
Thomas W. Boone,
R. W. Barnwell,
Isaac Bradwell, jr.
Thomas G. Blewett,
P. M. Butler,
John G. Brown,
J. G. Brown,
John Bauskett,
A. Burt,
James Lynah,
Francis Y. Legare,
Alex. J. Lawton,
John Lipscomb,
John Logan,
J. Littlejohn,
A. Lancaster,
John Magrath,
Benj. A. Markley,
John S. Maner,
Wm. M. Murray,
R. G. Mills,
John B. McCall,
D. H. Means,
R. G. Mays,
George McDuffie,
James Moore,
John L. Miller,
Stephen D. Miller,
John B. Miller,
R. P. McCord,
John L. Nowell,
Jennings O'Bannon,

Francis Burt, jr.
Bailey Barton,
A. Bowie,
James A. Black,
A. H. Belin,
Philip Cohen,
Samuel Cordes,
Thomas H. Colcock,
C. J. Colcock,
Charles G. Capers,
Wm. C. Clifton,
West Caughman,
John Counts,
Benjamin Chambers,
I. A. Campbell,
Wm. Dubose,
John H. Dawson,
John Douglas,
George Douglas,
F. H. Elmore,
Wm. Evans,
Edmund J. Felder,
A. Fuller,
Theo. L. Gourdin,
Peter G. Gourdin,
T. J. Goodwyn,
Peter Gaillard, jun.
John K. Griffin,
George W. Glenn,
Alex. L. Gregg,
Robert Y. Hayne,
William Harper,
Thomas Harrison,
John Hatton,
Thomas Harllee,
Abm. Huguenin,
Jacob Bond I'On,
John S. Jeter,
Job Johnston,
John S. James,
M. Jacobs,
J. A. Keith,
John Key,
Jacob H. King,
Stephen Lacoste,
J. Walter Phillips,
Charles Parker,
Wm. Porcher,
Edward G. Palmer,
Chs. C. Pinckney,
Wm. C. Pinckney,
Thomas Pinckney,
Francis D. Quash,
John Rivers,
Donald Rowe,
Benjamin Rogers,
Thomas Ray,
James G. Spann,
James Spann,
S. L. Simons,
Peter J. Shand,
James Mongin Smith,
G. H. Smith,
Wm. Smith,
Stephen Smith,
Wm. Stringfellow,
Edwin J. Scott,
F. W. Symmes,
J. S. Sims,
T. D. Singleton,
Joseph L. Stevens,
T. E. Screven,
Robt. J. Turnbull,
Elisha Tyler,
Philip Tidyman,
Isaac B. Ulmer,
Peter Vaught,
Elias Vanderhorst,
John L. Wilson,
Isham Walker,
Wm. Williams,
Thos. B. Woodward,
Sterling C. Williamson,
F. H. Wardlaw,
Abner Whatley,
J. T. Whitefield,
Saml. L. Watt,
Nicholas Ware,
Wm. Waties,
Archibald Young.

[Attest,]
ISAAC W. HAYNE,
Clerk of the Convention.

ADDRESS

To the People of South Carolina, by their Delegates in Convention.

FELLOW CITIZENS,

The situation in which you have been placed by the usurpations of the Federal Government, is one which you so peculiarly feel, as to render all reference to it at this moment unnecessary. For the last ten years the subject of your grievances has been presented to you. This subject you have well considered. You have viewed it in all its aspects, bearings and tendencies, and you seem more and more confirmed in the opinion, expressed by both branches of the Legislature, that the Tariff, in its operation, is not only "grossly unequal and unjust, but is such an abuse of power as is incompatible with the principles of a Free Government, and the great ends of civil society;" and that if persisted in, "the fate of this State would be poverty and utter desolation." Correspondent with this conviction, a disposition is manifested in every section of the country, to arrest, by some means or other, the progress of this intolerable evil. This disposition having arisen from no sudden excitement, but having been gradually formed by the free and temperate discussions of the Press, there is no reason to believe that it can ever subside by any means short of the removal of the urgent abuse; and it is under this general conviction, that we have been convened to take into consideration, not only the character and extent of your grievances, but also the mode and measure of redress.

This duty, fellow citizens, we have discharged to the best of our judgments, and the result of our deliberations will be found in the DECLARATION and ORDINANCE just passed by us, founded on the great and undeniable truth, that in all cases of a palpable, oppressive and dangerous infraction of the Federal compact, each State has a right to annul, and to render inoperative within its limits, all such unauthorized acts. After the luminous expositions which have been already furnished by so many great minds, that the exercise of this right is compatible with the first principles of our anomalous scheme of government, it would be superfluous here to state at length the reasons by which this mode of redress is to be sustained. A deference, however, for the opinions of those of our fellow citizens, who have hitherto dissented from us, demands that we should briefly state the principal ground upon which we place the right and the expediency of Nullification

The Constitution of the United States, as is admitted by cotemporaneous writers, is a compact between Sovereign States,

Though the subject matter of that compact was a Government, the powers of which *Government* were to operate, to *a certain extent*, upon the People of those Sovereign States, *aggregately*, and not upon the State Authorities, as is usual in confederacies, still the Constitution is a Confederacy. First. It is a Confederacy, because in its FOUNDATIONS it possesses not one single feature of *nationality*. The people of the separate States, as distinct political communities, *ratified* the Constitution, each State acting for itself, and binding its own citizens, and not those of any other State. The act of ratification declares it "to be binding on the *States* so ratifying. The *States* are its authors—*their* power created it—*their* voice clothed it with authority—the Government it formed is in reality *their* Government, and the Union of which it is a bond is a Union of *States*, and not of individuals." Secondly. It is a Confederacy, because the EXTENT of the powers of the Government depends, not upon the People of the United States *collectively*, but upon the State legislatures, or on the people of the separate States, acting in their State Conventions, each State being represented by a single vote.

It must never be forgotten, that it is to the *creating* and to the *controlling* power, that we are to look for the true character of the Federal Government; for the present controversy is, not as to the SOURCES from which the ordinary powers of the Government are drawn; these are partly *federal* and partly *national*. Nor is it relevant to consider upon *whom* these powers operate. In this last view, the Government, for *limited* purposes, is entirely national. The true question is, who are the parties to the compact? Who created, and who can alter and destroy it? Is it the *States* or the *People?* This question has been already answered. The States, as *States*, ratified the compact. The People of the United States, collectively, had no agency in its formation. There did not exist then, nor has there existed at any time since, such a political body as the People of the United States. There is not now, nor has there ever been such a relation existing, as that of a citizen of New-Hampshire, and a citizen of South Carolina, bound together in the same *Social* Compact. It would be a waste of time to dwell longer on this part of our subject. We repeat, that as regards the FOUNDATION, and the EXTENT of its powers, the Government of the United States is, strictly, what its name implies, a FEDERAL Government—a league between several Sovereigns, and in these views, a more perfect Confederacy has never existed in ancient or modern times.

On looking into this Constitution, we find that the most important sovereign powers are delegated to the central Government; and all other powers are reserved to the States. A foreign or an inattentive reader, unacquainted with the origin, progress and history of the Constitution, would be very apt, from the phraseology of the instrument, to regard the States as having divested themselves of their Sovereignty, and to have become great corporations subordinate to one Supreme Government. But this is an error. The States are as Sovereign now, as they were prior to

their entering into the compact. In common parlance, and to avoid circumlocution, it may be admissable enough to speak of *delegated* and *reserved* Sovereignty. But correctly speaking, Sovereignty is an unit. It is "one, indivisible and unalienable." It is therefore an absurdity to imagine, that the Sovereignty of the States is surrendered in *part* and retained in *part*. The Federal Constitution is a treaty, a confederation, an alliance by which so many Sovereign States agree to exercise their sovereign powers *conjointly* upon certain objects of external concern, in which they are equally interested, such as WAR, PEACE, COMMERCE, Foreign Negotiation, and Indian Trade; and upon all other subjects of civil government, they were to exercise their Sovereignty *separately*. This is the true nature of the compact.

For the convenient conjoint exercise of the Sovereignty of the States there must of necessity be some common agency or functionary. This agency is the Federal Government. It represents the confederated States, and executes their joint will, as expressed in the compact. The powers of this government are wholly *derivative*. It possesses no more inherent sovereignty, than an incorporated town, or any other great corporate body—it is a political corporation, and like all corporations, it looks for its powers to an exterior source. That source is the States. It wants that "irresistible, absolute, uncontrolled authority," without which, according to jurists, there can be no sovereignty. As the States conferred, so the States can take away its powers. All inherent sovereignty, is therefore in the States. It is the MORAL OBLIGATION alone, which each State has chosen to impose upon herself, and not the want of sovereignty, which restrains her from exercising all those powers, which (as we are accustomed to express ourselves) she has surrendered to the Federal Government. The present organization of our Government, as far as regards the *terms* in which the powers of Congress are delegated, in no wise differs from the old Confederation. The powers of the Old Congress were delegated rather in stronger language, than we find them written down in the new charter, and yet he would hazard a bold assertion, who would say, that the States of the Old Confederacy, were not as Sovereign as Great Britain, France and Russia, would be in an alliance offensive and defensive. It was not the reservation in express terms of the "Sovereignty, Freedom, and Independence of each State" which made them Sovereign. They would have been equally Sovereign, as is universally admitted, without such a reservation.

We have said thus much upon the subject of Sovereignty because the only foundation upon which we can safely erect the right of a State to protect its citizens, is, that South Carolina by the Declaration of Independence, became and has since continued a Free, Sovereign and Independent State. That as a Sovereign State, she has the *inherent* power, to do all those acts, which by the law of nations, any Prince or Potentate may of right do. That like all independent States, she neither has, nor ought she to suffer any other restraint upon her sovereign will and pleasure,

than those high moral obligations, under which all Princes and States are bound before God and man, to perform their solemn pledges. The inevitable conclusion from what has been said therefore is, that as in all cases of compact between Independent Sovereigns, where from the very nature of things, there can be no common judge or umpire, each sovereign has a right "to judge as well of infractions, as of the mode and measure of redress," so in the present controversy, between South Carolina and the Federal Government, it belongs solely to her, by her delegates in solemn Convention assembled, to decide, whether the federal compact be violated, and what remedy the State ought to pursue. South Carolina therefore cannot, and will not yield to any department of the Federal Government, and still less to the Supreme Court of the United States, the creature of a Government, which itself is a creature of the States, a right which enters into the essence of all sovereignty, and without which, it would become a bauble and a name.

It is fortunate for the view which we have just taken, that the history of the Constitution, as traced through the Journals of the Convention which framed that instrument, places the right contended for upon the same foundation. These journals furnish abundant proof, that "no line of jurisdiction between the States and Federal Government in doubtful cases," could be agreed on. It was conceded by Mr. Madison and Mr. Randolph, the most prominent advocates for a Supreme Government, that it was impossible to draw this line, because no tribunal sufficiently impartial, as they conceived could be found, and that there was no alternative, but to make the Federal Government supreme, by giving it, in all such cases, a negative on the acts of the State Legislatures. The pertinacity with which this negative power was insisted on by the advocates of a national Government, even after all the important provisions of the *judiciary* or *third article* of the Constitution were arranged and agreed to, proves beyond doubt, that the Supreme Court was never contemplated by either party in that Convention, as an arbiter, to decide conflicting claims of rovereignty between the States and Congress; and the repeated rejection of all proposals to take from the States, the power of placing their own construction upon the articles of Union, evinces that the States were resolved never to part with the right to judge whether the acts of the Federal Legislature were or were not, an infringement of those articles.

Correspondent with the right of a Sovereign State to judge of the infractions of the Federal Compact, is the duty of this Convention to declare the extent of the grievance, and the mode and measure of redress. On both these points, public opinion has already anticipated us, in much that we could urge. It is doubted, whether in any country, any subject has undergone before the people, a more thorough examination than the constitutionality of the several acts of Congress for the protection of Domestic Manufactures. Independent of the present embarrassments, they throw in the way of commerce, and the plain indications, that certain articles, which

are the natural exchange for our valuable staple products, are sooner or later to be virtually prohibited—Independent of the diminution, which these impost duties cause in our incomes, and the severity of the Tax upon all articles of consumption needed by the poor, they recognize a principle, not less at war with the ends for which this great confederacy was formed, than it is with that spirit of justice, and those feelings of concord which ought to prevail amongst States, united by so many common interests and exalted triumphs. The people surely need not be told, in this advanced period of intellect and of freedom, that no government can be free, which can rightfully impose a tax, for the encouragement of one branch of industry at the expense of all others, unless such a tax be justified by some great, and unavoidable public necessity. Still less can the people believe, that in a confederacy of States, designed principally as an alliance offensive and defensive, its authors could ever have contemplated, that the federal head should regulate the domestic industry of a widely extended country; distinguished above all others, for the diversity of interests, pursuits and resources in its various sections. It was this acknowledged diversity, that caused the arrangement of a conjoint and separate exercise of the sovereign authority; the one to regulate external concerns, and the other to have absolute control "over the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the States."

It is the striking characteristic in the operation of a simple and consolidated government, that it protects Manufactures, Agriculture, or any other branch of the public industry—that it can establish corporations, or make Roads and Canals, and patronize learning, and the arts. But it would be difficult to shew, that such was the government, which the sages of the Convention designed for the States. All these powers were proposed to be given to Congress, and they were proposed by that party in the Convention, who desired a *firm National Government.* The Convention having decided, on the *federal* form, in exclusion of the national, all these propositions were rejected; and yet we have lived to see an American Congress who can hold no power except by express grant, as fully in the exercise of these powers, as if they were part and parcel of their expressly delegated authority. Under a pretence of regulating Commerce, they would virtually prohibit it. Were this regulation of Commerce resorted to, as a means of Coercing foreign nations to a fair reciprocity in their intercourse with us, or for some other *bona fide* commercial purpose, as has been justly said by our Legislature, the Tariff acts would be Constitutional. But none of these acts have been passed as countervailing or *retaliatory* measures, for restrictions placed on our Commerce by foreign nations. Whilst other nations seem disposed to relax in their restraints upon trade, our Congress seems absolutely bent upon the interdiction of those articles of Merchandize, which are exchangeable for the products of Southern labor, thus causing the principal burthen of taxation to fall upon this portion of the Union, and by depriving us of our accustomed Markets, to impoverish our whole

Southern country. In the same manner, and under the pretence of promoting the Internal Improvement of the States, and for other equally unjustifiable and unconstitutional purposes, Congress is in the constant habit of violating those fundamental principles of the Constitution, on which alone can rest the prosperity of the States, and the durability of the Union.

It is in vain to imagine, that with a people who have struggled for freedom, and know its inestimable value, such a state of affairs can be endured longer than there is a well founded hope, that reason and justice will resume their empire in the common council of the confederacy. That hope having expired with the last session of Congress, by the present Tariff Act, distinctly and fully recognizing as the permanent policy of the country, the odious principle of protection, it occurs to us that there is but one course for the State to pursue. That course, fellow-citizens, is RESISTANCE. Not *physical*, but MORAL resistance—not resistance in an angry or irritated feeling, but resistance by such counter-legislation, which, whilst it shall evince to the world that our measures are built upon the necessity of tendering to Congress an amicable issue, to try a doubtful question, between friends and neighbors, shall at the same time secure us in the enjoyment of our rights and privileges. It matters not, fellow-citizens by what name this counter-legislation shall be designated—call it Nullification, State interposition, State veto, or by whatever other name you please, still if it be but resistance to an oppressive measure, it is the course which duty, patriotism and self-preservation prescribes. If we are asked, upon what ground we place the right to resist a particular law of Congress and yet regard ourselves as a constituent member of the Union, we answer—the ground of the COMPACT. We do not choose in a case of this kind to recur to what are called our natural rights, or the right of revolution. We claim to nullify by a more imposing title. We claim it as a CONSTITUTIONAL right, not meaning as some have imagined, that we *derive* the right from the Constitution, for derivative rights can only belong to the *functionaries* of the high contracting parties to the Constitution, but we claim to exercise it as one of the PARTIES to the compact, and as consistent with its letter, its genius and its spirit, it being distinctly understood at the time of ratifying the Constitution, that the exercise of all sovereign rights not agreed to be had conjointly, were to be exerted separately by the States. Though it be true, that the provision in favor of what we call the reserved rights of the States was not necessary to secure to the States such reserved rights, yet the mere circumstance of its insertion in the instrument, makes it as clear a *Constitutional* provision, as that of the power of Congress to raise armies or to declare war. Any exercise of a right in conformity with a Constitutional provision, we conceive to be a *Constitutional* right, whether it be founded on an express grant of the right, or be included in a general reservation of undefined powers. The Constitution being the supreme law, and instrument in which a distribution of powers is made between the Federal Government and the States, it is incumbent on the authorities of each Government

so to shape their legislation as not to overstep the boundaries assigned to them. No act can therefore be done by either Government, which for its *validity* can be referred to any other test than the STANDARD OF THE CONSTITUTION. If a State Government passes an act, defining and punishing a burglary, or a law abolishing the rights of primogeniture, it is more correct to say, that she is in the exercise of her *Constitutional*, than of her *natural* rights, because it is an express *Constitutional* provision, that she should exercise all her sovereign rights not already entrusted to the common functionary of the parties. As it is impossible then that any act can be passed by either Government, which if disputed must not be referred to the Constitution as the supreme law of the parties, so a right is Constitutional or unconstitutional, as it shall be found to comport with or to be repugnant to the terms or the spirit of that instrument. There is not therefore a sovereign or a natural right which South Carolina can lawfully exercise in conformity with her engagements, which is not stipulated for in the tenth amendment to the Constitution. All such rights stipulated for, must be Constitutional. To regard them otherwise, would be a perversion of terms.

That Nullification under our reserved rights was regarded as Constitutional by the Virginia resolutions of 1798, is clear from the exposition of them by the celebrated report, drawn by Mr. Madison. In defending the third of these resolutions, which assert the doctrine of State interposition and protection, the committee say, "that they have *scanned* it, not merely with a strict, *but with a severe eye*, and they feel confidence in pronouncing, that in its *just and fair construction*, it is unexceptionably *true in its several positions*, as well as CONSTITUTIONAL and conclusive in its *inferences*." What were the positions of the third resolution. 1st. That the powers of the Federal Government were limited to the plain sense of the instrument constituting the compact. 2d. That in case of a deliberate, palpable and dangerous infraction of the compact, the State has the right to interpose, &c. Now what is the inference? It is, that "they are in duty bound to arrest the progress of the evil, by maintaining within their RESPECTIVE limits, the authorities, rights and liberties appertaining to them." This inference, says the report, is "CONSTITUTIONAL and conclusive." The same doctrine was as distinctly affirmed by the Virginia Assembly in their resolutions adopting the report. They say, "that having fully and accurately examined and reconsidered these resolutions, they find it to be their indispensable duty to ADHERE TO THE SAME, as founded in truth, AS CONSONANT WITH THE CONSTITUTION, and as CONDUCIVE TO ITS PRESERVATION."

We are aware that it has been recently maintained, that by the State interposition referred to in this third resolution, the Virginia Assembly had allusion to the natural right, and Mr. Madison himself has been brought forward to give a construction to this resolution contrary to the most obvious import of the terms. Be it so. Then, if the State interposition here spoken of be a natural right, it

is a right which the Virginia Assembly have pronounced "CONSONANT with the Constitution, and as conducive to its preservation." Or in other words, that without the exercise of this natural sovereign right of interposition, the Constitution cannot be preserved. There is no incongruity in this. It is quite competent for two monarchs to stipulate in a treaty for that right, which independent of the treaty would be a natural right, as if a power were conferred by the treaty on the citizens of either prince to capture, adjudge and execute all subjects of the other engaged in piracy on the high seas. It certainly would be more proper to call such a right a *Conventional* right, than a natural right, though it be both. Several of the State Constitutions furnish instances of natural rights being secured by a constitutional provision. Even in the instrument we are now considering, there is a distinct affirmation in terms of a natural right of sovereignty: such as the sovereign right of a State to keep troops and ships of war in a certain emergency, or the sovereign right of a State to lay import and export duties, for the purpose of executing its inspection laws. In these cases, a natural right is also a constitutional right, contrary to the definition of those who maintain that no right is properly constitutional which is a sovereign right—because constitutional rights are derivative rights exercised by functionaries. That reasoning would be indeed strange, which would place a natural reserved sovereign right, expressed in terms upon a better footing, than all that mass of residuary power included in the general reservation of the tenth amendment. It would be to create a distinction without a difference. The reserved rights, though undefined, are easily ascertained. Any particular right not found in the enumerated powers of Congress, of course belongs to the States.

The right to nullify is universally admitted to be a natural or sovereign right. The natural rights of the States are also admitted to be their reserved rights. If they are reserved, they must be constitutional, because the Constitution being an agreement to arrange the mode by which the States shall exercise their sovereignty, expressly stipulates for the exercise of these powers in all cases not enumerated. To some it may be unimportant upon what basis we place the right of a State to protect its citizens, as counter-legislation would be the beginning of resistance in either case; others may, perhaps, justly say, that the whole controversy is resolvable into a dispute as to what is, or is not, the proper definition of a constitutional right. We, however, think it of infinite importance, in urging the right of nullification, to regard it as a *Constitutional*, rather than as a natural remedy, because a Constitutional proceeding is calculated to give it a pacific course and a higher recommendation. The characteristic, in fact, of the American Constitutions in general, is, that they sanctify the fundamental principles of the American Revolution. Whilst other nations have to resort to the law of nature, and by force to drive despots from their thrones, thus incurring what amongst them is odiously termed the guilt of rebellion, we here have the incalculable advantage of a thorough understanding amongst all classes, that it is the right, as well as the duty,

of a free people, to recur when necessary to their sovereign rights to resist oppression. Such a sentiment as this becoming familiar to the public mind, acquires prodigious strength, when its spirit is seen to pervade a written Constitution, and prevents rather than accelerates opportunities for an unnecessary recurrence to revolutionary movements. Under such a structure of the public sentiment, when the voice of a sovereign State shall be spoken, "it will be heard in a tone, which virtuous governors will *obey*, and tyrannical ones shall DREAD." Nothing can more reconcile Nullification to our citizens than to know, that if we are not proceeding according to the forms of the Constitution, we are nevertheless adhering to its *spirit*. The convention which framed the Constitution could not agree upon any mode of settling a dispute like the present. The case was therefore left unprovided for, under the conviction, no doubt, as is admitted by Mr. Hamilton in "The Federalist," that if the Federal Government should oppress the States, the State Governments would be ready to check it by virtue of their own inherent sovereign powers. "It may safely be received as an AXIOM *in our political system*, (says Mr. Hamilton,) that the *State Governments will, in all possible contingencies*, afford COMPLETE SECURITY against invasion of the public liberty by the *national authority*. *Projects of usurpation* cannot be *masked under pretences* so likely to escape the penetration of *select bodies* of men, as of the people at large. The Legislatures will have better means of information. They can discover the danger at a distance; and, *possessing all the organs of* CIVIL POWER, and the confidence of the people, they can at once adopt a REGULAR PLAN OF OPPOSITION, in which they can *combine all the resources of the community*."

That measure cannot be revolutionary, which is adopted, not with a view to resort to force, but by some decisive measures to call the attention of the co-States to a disputed question in such a form, as to compel them to decide what are or are not the rights of the States, in a case of a palpable and dangerous infraction of those fundamental principles of liberty in which they all have an interest.

In the exercise of the right of nullification, we are not unmindful of the many objections which have been urged against it. That it may embarrass the present majority in Congress, who are fatally bent upon building the sectional interests of their constituents, upon the ruin of our commerce, we can readily imagine: but these embarrassments, on examination, will be found to proceed rather from an unwillingness on their part to adjust the controversy on principles of reason and justice, than from any real difficulty existing in the Constitution. The provisions of the Constitution are ample for taking the sense of the States on a question, more important than any which has occurred since the formation of the Government. But if the spirit of justice departs from the councils, to which we have a right to look up as the guardians of the public liberty and the public peace, no provisions of human wisdom can avail. We have heard much of the danger of suffering one State to impede the operations of twenty-three States: but it must be obvious to every considerate man, that the danger can only exist

where a State is wrong. If the people of any one State are *right* in the principles for which they contend, it is desirable that they should impede the operations of Congress, until the sentiments of its co-States shall be had. A higher eulogy could not be bestowed upon our system, than the power of resorting to some conservative principle, that shall stay a disruption of the league. It is no argument to say that a State may have no grounds on which to place herself upon her sovereign rights. This is a possible, but by no means a probable case. Experience has given us a most instructive lesson on this very subject; it has taught us that, the danger is not that a State may resort to her sovereign rights too often, but that it will not avail herself of them when necessary. Look, fellow-citizens, to our State: for ten years we have petitioned and remonstrated against the unconstitutionality of the Tariff Acts, and though the conviction has been universal that the effects of the system would be ruinous to our interests, yet the difficulty has been great, to bring the people to the resisting point.

And so with other objections. It has been maintained by us, that according to the philosophy of the government, and the true spirit of the compact, it becomes Congress in all emergencies like the present, to solicit from the States, the call of a Convention. That upon such a convocation, it should be incumbent on the States claiming the doubtful power, to propose an amendment to the Constitution, giving the doubtful power, and on failure to obtain it by a consent of three-fourths of all the States, to regard the power as never having been intended to be given. We must not be understood to say, that this was matter even of implied stipulation, at the formation of the compact. The Constitution is designedly silent on the subject, on account of the extreme difficulty in the minds of its framers of appointing a mode of adjusting these differences. This difficulty we now discover was imaginary. It had its source in apprehensions, which an experience of upwards of forty years has proved to be without the shadow of a foundation. Many of the sages of that day, were dissatisfied with their work for a reason, which is the very opposite of the truth. They feared, not that the General Government would encroach upon the rights of the States, but that the States would perpetually be disposed to pass their boundaries of power, and finally destroy the confederation. Had they been blessed with the experience which we have acquired, there could have been no objection to trusting the States, who created the Government, and who would not fully embarrass it, with a veto under certain modifications. It seems but reasonable, that a *disputed* power, which it would have required three fourths of the States to *add* to the Constitution, ought not to be insisted on by a majority in Congress, as impliedly conferred, if more than one fourth should object to it. To deny this, would be to decide finally the validity of a power by a positive majority of the people at large, instead of a concurring majority of the States. There is, it is true, one objection, and only one to this view, and that is, that under this theory, a majority little beyond the three-fourths, as for instance seven States out of twenty-

four, might deprive Congress of powers which have been expressly delegated. The answer to this is, that it would be a very extreme case for a single State to claim the resumption of a power, which it had clearly delegated in *positive* terms. But it seems almost beyond the range of possibility, that six other States should be found to sustain a nullifying State in such a pretension. Should such a case ever occur, as one-fourth and upwards of the States resolving to break their pledges, without the slightest pretence, it would show, that it was time to break the league. If a spirit of friendship and fair dealing, cannot bind together the members of this Union, the sooner it is dissolved the better. So that this objection is rather nominal, than substantial. But the evil of this objection is, that whilst its admission would relieve us from an imaginary peril, we should be plunged into that certain danger of an unrestricted liberty of Congress to give us instead of a confederated government, a government without any other limitation upon its power than the will of a majority.

Other objections have been urged against nullification. It is said, that the President or Congress might employ the military and naval force of the United States to reduce the nullifying State into obedience and thus produce a civil dissention amongst the members of the confederacy. We do not deem it necessary in a community, so conversant with this part of the subject as that of South Carolina, to recapitulate the arguments which have been urged against such an improbable course, both for the want of power, and on the ground of expediency. But we cannot pass over one view, which we think sufficient to quiet all apprehension on that score. We live in an age of reason and intellect. The idea of using force on an occasion of this kind, is utterly at variance with the genius and spirit of the American people. In truth, it is becoming repugnant even to the genius and spirit of the governments of the old world. We have lately seen in England one of the greatest reforms achieved, which her history records; a reform which her wisest statesmen twenty years ago, would have predicted could not be accomplished without civil war, brought about about by a bloodless revolution. The cause is manifest. Not only are the people every where better informed, but such is the influence which public opinion exerts over constituted authorities, that the rulers of this earth are more swayed by reason and justice than formerly. Under such evident indications of the march of mind and intellect, it would be to pay but a poor compliment to the people of these States, to imagine, that a measure taken by a Sovereign State, with the most perfect good feeling to her confederates, and to the perpetuity of the Union, and with no other view than to force upon its members, the consideration of a most important constitutional question, should terminate otherwise than peaceably.

Fellow-Citizens, it is our honest and firm belief, that nullification will preserve, and not destroy this Union. But we should regret to conceal from you that if Congress should not be animated with a patriotic and liberal feeling in this conjuncture, they can give to

this controversy what issue they please. Admit then that there is risk of a serious conflict with the Federal government. We know no better way to avoid the chance of hostile measures in our opponents, than to evince a readiness to meet danger, come from what quarter it will. We should think that the American Revolution was indeed to little purpose, if a consideration of this kind were to deter our people from asserting their sovereign rights. That revolution it is well known, was not entered into by our Southern ancestors from any actual oppression, which the people suffered. It was a contest waged for PRINCIPLE, emphatically for principle. The calamities of revolution, strife and civil war, were fairly presented to the illustrious patriots of those times, which tried the souls of men. The alternative was either to remain dependent colonies in hopeless servitude, or to become free, sovereign and independent States. To attain such a distinguished rank among the nations of the earth, there was but one path, and that the path of glory—the crowning glory of being accounted worthy of all suffering, and of embracing all the calamities of a protracted war abroad, and of domestic evils at home, rather than to surrender their liberties. The result of their labors is known to the world, through the flood of light which that revolution has shed upon the science of government, and the rights of man—in the "LESSON it has taught the oppressor, and in the EXAMPLE it has afforded to the oppressed"—in the invigoration of the spirit of freedom every where, and in the amelioration it is producing in the social order of mankind.

Inestimable are the blessings of that well regulated freedom, which permits man to direct his labors and his enterprize to the pursuit or branch of industry to which he conceives nature has qualified him, unmolested by avarice enthroned in power. Such was the freedom for which South Carolina struggled when a dependant colony. Such is the freedom of which she once tasted as the first fruit of that revolutionary triumph which she assisted to achieve. Such is the freedom she reserved to herself on entering into the league. Such is the freedom of which she has been deprived, and to which she must be restored, if her commerce be worth preserving, or the spirit of her Laurens and her Gadsden has not fled forever from our bosoms. It is in vain to tell South Carolina that she can look to any administration of the federal government for the protection of her sovereign rights, or the redress of her sovereign wrongs. Where the fountain is so polluted, it is not to be expected that the stream will again be pure. The protection to which in all representative governments the people have been accustomed to look, to wit, the responsibility of the governors to the governed, has proved nerveless and illusory—under such a system, nothing but a radical reform in our political institutions can preserve this union. It is full time that we should know what rights we have under the federal constitution, and more especially ought we to know whether we are to live under a consolidated government, or a confederacy of States—whether the States be sovereign or their local Legislatures be mere corporations. A FRESH UNDER-

STANDING OF THE BARGAIN we deem absolutely NECESSARY. No mode can be devised by which a dispute can be referred to the source of all power, but by some one State taking the lead in the great enterprize of reform. Till some one Southern State tenders to the federal government an issue, it will continue to have its "appetite increased by what it feeds on." History admonishes us that rulers never have the forecast to substitute in good time reform for revolution. They forget that it is always more desirable that the just claims of the governed should break in on them "through well contrived and well disposed windows, not through flaws and breaches, through the yawning chasms of their own ruin." One State must, under the awful prospects before us, throw herself into the breach in this great struggle for constitutional freedom.—There is no other mode of awakening the attention of the co-States to grievances which if suffered to accumulate must dismember the union. It has fallen to our lot fellow-citizens first to quit our trenches. Let us go on to the assault with cheerful hearts and undaunted minds.

Fellow-citizens, the die is now cast. We have solemnly resolved on the course which it becomes our beloved State to pursue—we have resolved that until these abuses shall be reformed, NO MORE TAXES SHALL BE PAID HERE. "Millions for defence, but not a cent for tribute." And now we call upon our citizens, native and adopted, to prepare for the crisis, and to meet it as becomes men and freemen. We call upon all classes and all parties to forget their former differences, and to unite in a solemn determination never to abandon this contest until such a change be effected in the councils of the nation, that all the citizens of this confederacy shall participate equally in the benefits and the burthens of the government. To this solemn duty we now invoke you in the name of all that is sacred and valuable to man. We invoke you in the name of that LIBERTY which has been acquired by you from an illustrious ancestry and which it is your duty to transmit unimpaired to the most distant generations. We invoke you in the name of that CONSTITUTION which you profess to venerate, and of that UNION which you are all desirous to perpetuate. By the reverence you bear to these your institutions—by all the love you bear to liberty—by the detestation you have for servitude—by all the abiding memorials of your past glories—by the proud association of your exalted and your common triumphs in the first and greatest of revolutions—by the force of all those sublime truths which that event has inculcated amongst the nations—by the noble flame of republican enthusiasm which warms your bosoms, we conjure you in this mighty struggle to give your hearts and souls and minds to your injured and oppressed state, and to support her cause publicly and privately, with your opinions, your prayers and your actions. If appeals such as these prove unavailing, we then COMMAND YOUR OBEDIENCE to the laws and the authorities of the State by a title which none can gainsay. We demand it by that allegiance, which is reciprocal, with the protection you have received from the State. We admit of no obedience to any

authority, which shall conflict with that primary allegiance, which every citizen owes to the State of his birth or his adoption. There is not, nor has there ever been "any *direct* or *immediate* allegiance between the citizens of South Carolina and the Federal Government. The relation between them is through the State." South Carolina having entered into the Constitutional compact, as a separate, independent, political community, as has already been stated, has the right to declare an unconstitutional act of Congress, null and void—after her sovereign declaration that the act shall not be enforced within her limits, "such a declaration is obligatory on her citizens. As far as its citizens are concerned, the clear right of the State is to declare the extent of the obligation." This declaration once made, the citizen has no course, but TO OBEY. If he refuses obedience, so as to bring himself under the displeasure of his only and lawful sovereign, and within the severe pains and penalties, which by her high sovereign power, the Legislature, will not fail to provide in her self-defence, the fault, and the folly must be his own.

And now, fellow-citizens, having discharged the solemn duty, to which we have been summoned, in a crisis, big with the most important results to the liberties, peace, safety, and happiness of this once harmonious but now distracted confederacy, we commend our cause to that great disposer of events, who (if he has not already for some inscrutable purposes of his own, decreed otherwise) will smile on the efforts of truth and justice. We know that "unless the Lord keepeth the city, the watchman waketh but in vain;" but relying, as we do, in this controversy, on the purity of our *motives* and the honor of our *ends*, we make this appeal with all the confidence, which in times of trial and difficulty, ought to inspire the breast of the patriot and the christian. Fellow-citizens, DO YOUR DUTY TO YOUR COUNTRY AND LEAVE THE CONSEQUENCES TO GOD.

ADDRESS

To the People of Massachusetts, Virginia, New-York, Pennsylvania, North Carolina, Maryland, Connecticut, Vermont, New-Hampshire, Maine, New-Jersey, Georgia, Delaware, Rhode Island, Kentucky, Tennessee, Ohio, Louisiana, Indiana, Mississippi, Illinois, Alabama and Missouri.

We, the people of South Carolina, assembled in Convention, have solemnly and deliberately declared, in our paramount sovereign capacity, that the act of Congress approved the 19th day of May, 1828, and the act approve the 14th July, 1832, altering and amending the several acts imposing duties on imports, are unconstitutional, and therefore, absolutely void, and of no binding force within the limits of this State; and for the purpose of carrying this declaration into full and complete effect, we have invested the Legislature with ample powers, and made it the duty of all the functionaries and all the citizens of the State, on their allegiance, to co-operate in enforcing the aforesaid declaration.

In resorting to this important measure, to which we have been impelled by the most sacred of all the duties which a free people owe either to the memory of their ancesters or to the claims of their posterity, we feel that it is due to the intimate political relation which exists between South Carolina and the other States of this confederacy, that we should present a clear and distinct exposition of the principles on which we have acted, and of the causes by which we have been reluctantly constrained to assume this attitude of sovereign resistance in relation to the usurpations of the Federal Government.

For this purpose it will be necessary to state briefly, what we conceive to be the relation created by the federal Constitution, between the States and the general government; and also what we conceive to be the true character and practical operation of the system of protecting duties, as it effects our rights, our interests and our liberties.

We hold, then, that on their separation from the Crown of Great Britain, the several Colonies became free and independent States, each enjoying the separate and independent right of self government; and that no authority can be exercised over them or within their limits, but by their consent, respectively given as States. It is equally true, that the Constitution of the United States is a compact formed between the several States, acting as sovereign communities; that the government created by it is a joint agency of the States, appointed to execute the powers enumerated and granted by that instrument; that all its acts not intentionally authorized,

are of themselve essentially null and void, and that the States have the right, in the same sovereign capacity in which they adopted the federal Constitution, to pronounce, in the last resort, authoritative judgment on the usurpations of the federal government, and to adopt such measures as they may deem necessary and expedient to arrest the operation of the unconstitutional acts of that government, within their respective limits. Such we deem to be the inherent rights of the States—rights, in the very nature of things, absolutely inseparable from sovereignty. Nor is the duty of a State, to arrest an unconstitutional and oppressive act of the federal government less imperative, than the right is incontestible. Each State, by ratifying the federal Constitution, and becoming a member of the confederacy, contracted an obligation to "protect and defend" that instrument, as well by resisting the usurpations of the federal government, as by sustaining that government in the exercise of the powers actually conferred upon it. And the obligation of the oath which is imposed, under the Constitution, on every functionary of the States, to "preserve, protect, and defend" the federal Constitution, as clearly comprehends the duty of protecting and defending it against the usurpations of the federal government, as that of protecting and defending it against violation in any other form or from any other quarter.

It is true that in ratifying the federal Constitution, the States placed a large and important portion of the rights of their citizens under the joint protection of all the States, with a view to their more effectual security; but it is not less true that they reserved a portion still larger and not less important under their own immediate guardianship, and in relation to which their original obligation to protect their citizens, from whatever quarter assailed, remains unchanged and undiminished.

But clear and undoubted as we regard the right, and sacred as we regard the duty of the States to interpose their sovereign power for the purpose of protecting their citizens from the unconstitutional and oppressive acts of the Federal Government, yet we are as clearly of the opinion that nothing short of that high moral and political necessity, which results from acts of usurpation, subversive of the rights and liberties of the people, should induce a member of this confederacy to resort to this interposition. Such, however, is the melancholy and painful necessity under which we have declared the acts of Congress imposing protecting duties, null and void, within the limits of South Carolina. The spirit and the principles which animated your ancestors and ours in the councils and in the fields of their common glory, forbid us to submit any longer to a system of Legislation, now become the established policy of the Federal Government, by which we are reduced to a condition of colonial vassallage, in all its aspects more oppressive and intolerable than that from which our common ancestors relieved themselves by the war of the revolution. There is no right which enters more essentially into a just conception of liberty, than that of the free and unrestricted use of the productions of our industry. This clearly involves the right of carrying the productions of that

industry wherever they can be most advantageously exchanged, whether in foreign or domestic markets. South Carolina produces, almost exclusively, agricultural staples, which derive their principal value from the demand for them in foriegn countries.—Under these circumstances, her natural markets are abroad; and restrictive duties imposed upon her intercourse with those markets, diminish the exchangeable value of her productions very nearly to the full extent of those duties.

Under a system of free trade, the aggregate crop of South Carolina could be exchanged for a larger quantity of manufactures, by at least one-third, than it can be now exchanged for under the protecting system. It is no less evident, that the value of that crop is diminished by the protecting system very nearly, if not precisely, to the extent that the aggregate quantity of manufactures which can be obtained for it, is diminished. It is, indeed, strictly and philosophically true, that the quantity of consumable commodities which can be obtained for the cotton and rice annually produced by the industry of the State, is the precise measure of their aggregate value. But for the prevalent and habitual error of confounding the money price with the exchangeable value of our agricultural staples, these propositions would be regarded as self-evident. If the protecting duties were repealed, one hundred bales of cotton or one hundred barrels of rice would purchase as large a quantity of manufactures, as one hundred and fifty will now purchase. The annual income of the State, its means of purchasing and consuming the necessaries and comforts and luxuries of life, would be increased in a corresponding degree.

Almost the entire cotton crop of South Carolina, amounting annually to more than six millions of dollars, is ultimately exchanged either for foreign manufactures, subject to protecting duties, or for similar domestic manufactures. The *natural* value of that crop would be all the manufactures which we could obtain for it, under a system of unrestricted commerce. The *artificial* value, produced by the unjust and unconstitutional Legislation of Congress, is only such part of those manufactures as will remain after paying a duty of fifty per cent to the Government, or, to speak with more precision, to Northern manufacturers. To make this obvious to the humblest comprehension, let it be supposed that the whole of the present crop should be exchanged, by the planters themselves, for those foreign manufactures, for which it is destined, by the inevitable course of trade, to be ultimately exchanged, either by themselves or their agents. Let it be also assumed, in conformity with the facts of the case, that New-Jersey, for example, produces, of the very same description of manufactures, a quantity equal to that which is purchased by the cotton crop of South Carolina. We have, then, two States of the same confederacy, bound to bear an equal share of the burthens, and entitled to enjoy an equal share of the benefits of the common government, with precisely the same quantity of productions, of the same quality and kind, produced by their lawful industry. We appeal to your candor, and to your sense of justice, to say whether South Carolina has not a title as

sacred and indefeasible to the full and undiminished enjoyment of these productions of her industry, acquired by the combined operations of agriculture and commerce, as New-Jersey can have to the like enjoyment of similar productions of her industry, acquired by the process of manufacture? Upon no principle of Constitutional right—upon no principle of human reason or justice, can any discrimination be drawn between the titles of South Carolina and New-Jersey to these productions of their capital and labor. Yet what is the discrimination actually made by the unjust, unconstitutional and partial Legislation of Congress? A duty, on an average, of fifty per cent is imposed upon the productions of South Carolina, while no duty at all is imposed upon the similar productions of New-Jersey! The inevitable result is, that the manufactures thus lawfully acquired by the honest industry of South Carolina are worth, annually, three millions of dollars less to her citizens than the very same quantity of the same description of manufactures are worth to the citizens of New-Jersey—a difference of value produced exclusively by the operation of the protecting system.

No ingenuity can either evade or refute this proposition. The very axioms of geometry are not more self-evident. For even if the planters of South Carolina, in the case supposed, were to sell and not consume these productions of their industry, it is plain that they could obtain no higher price for them, after paying duties to the amount of $3,000,000, than the manufacturers of New-Jersey would obtain for the same quantity of the same kind of manufactures, without paying any duty at all.

This single view of the subject exhibits the enormous inequality and injustice of the protecting system in such a light, that we feel the most consoling confidence that we shall be fully justified by the impartial judgment of posterity, whatever may be the issue of this unhappy controversy. We confidently appeal to our confederate States, and to the whole world, to decide whether the annals of human legislation furnish a parallel instance of injustice and oppression perpetrated under the forms of a free government. However it may be disguised by the complexity of the process by which it is effected, it is nothing less than the monstrous outrage of taking three millions of dollars annually from the value of the productions of South Carolina, and transferring it to the people of other and distant communities. No human government can rightfully exercise such a power. It violates the eternal principles of natural justice, and converts the government into a mere instrument of legislative plunder. Of all the governments on the face of the earth, the Federal Government has the least shadow of a constitutional right to exercise such a power. It was created principally, and almost exclusively, for the purpose of protecting, improving, and extending that very commerce which, for the last ten years, all its powers have been most unnaturally and unrighteously perverted to cripple and destroy. The power to "regulate commerce with foreign nations," was granted obviously for the preservation of that commerce. The most important of all the duties which the Federal Government owes to South Carolina, under the compact of Union, is

the protection and defence of her foreign commerce against all the enemies by whom it may be assailed. And in what manner has this duty been discharged? All the powers of the earth, by their commercial restrictions, and all the pirates of the ocean, by their lawless violence, could not have done so much to destroy our commerce as has been done by that very Government to which its guardianship has been committed by the Federal Constitution. The commerce of South Carolina consists in exchanging the staple productions of her soil for the manufactures of Europe. It is a lawful commerce. It violates the rights of no class of people in any portion of the confederacy. It is this very commerce, therefore, which the Constitution has enjoined it upon Congress to encourage, protect, and defend by such regulations as may be necessary to accomplish that object. But instead of that protection, which is the only tie of our allegiance as individual citizens to the Federal Government, we have seen a gigantic system of restrictions gradually reared up, and at length brought to a fatal maturity, of which it is the avowed object, and must be the inevitable result, to sweep our commerce from the great highway of nations, and cover our land with poverty and ruin.

Even the States most deeply interested in the maintenance of the protecting system, will admit that it is the interest of South Carolina to carry on a commerce of exchanges with foreign countries, free from restrictions, prohibitory burthens or incumbrances of any kind. We feel, and we know, that the vital interests of the State are involved in such a commerce. It would be a downright insult to our understandings, to tell us that our interests are not injured, deeply injured, by those prohibitory duties, intended and calculated to prevent us from obtaining the cheap manufactures of foreign countries for our staples, and to compel us to receive for them the dear manufactures of our domestic establishments, or pay the penalty of the protecting duties for daring to exercise one of the most sacred of our natural rights. What right, then, human or divine, have the manufacturing States—for we regard the Federal Government as a mere instrument in their hands—to prohibit South Carolina, directly or indirectly, from going to her natural markets, and exchanging the rich productions of her soil, without restriction or incumbrance, for such foreign articles as will most conduce to the wealth and prosperity of her citizens? It will not surely be pretended—for truth and decency equally forbid the allegation—that in exchanging our productions for the cheaper manufactures of Europe, we violate any right of the domestic manufacturers, however gratifying it might be to them if we would purchase their inferior productions at higher prices.

Upon what principle, then, can the State of South Carolina be called upon to submit to a system, which excludes her from her natural markets, and the manifold benefits of that enriching commerce which a kind and beneficent Providence has provided to connect her with the family of nations by the bonds of mutual interest? But one answer can be given to this question. It is in vain that we attempt to disguise the fact, mortifying as it must be, that

the principle by which South Carolina is thus excluded, is, in strict propriety of language, and to all rational intents and purposes, a principle of colonial dependence and vassallage, in all respects identical with that which restrained our forefathers from trading with any manufacturing nation of Europe, other than Great Britain. South Carolina now bears the same relation to the manufacturing States of this confederacy, that the Anglo-American colonies bore to the mother country, with the single exception that our burthens are incomparably more oppressive than those of our ancestors. Our time, our pride, and the occasion equally forbid us to trace out the degrading analogy. We leave that to the historian who shall record the judgment which an impartial posterity will pronounce upon the eventful transactions of this day.

It is in vain that we attempt to console ourselves by the empty and unreal mockery of our representation in Congress. As to all those great and vital interests of the State which are affected by the protecting system, it would be better that she had no representation in that body. It serves no other purpose but to conceal the chains which fetter our liberties, under the vain and empty forms of a representative government. In the enactment of the protecting system, the majority of Congress is, in strict propriety of speech, an irresponsible despotism. A very brief analysis will render this clear to every understanding. What then, we ask, is involved in the idea of political responsibility, in the imposition of public burthens? It clearly implies that those who impose the burthens should be responsible to those who bear them. Every representative in Congress should be responsible, not only to his own immediate constituents, but through them, and their common participation in the burthens imposed, to the constituents of every other representative. If in the enactment of a protecting tariff, the majority in Congress imposed upon their own constituents the same burthens which they impose upon the people of South Carolina, that majority would act under all the restraints of political responsibility, and we should have the best security which human wisdom has yet devised against oppressive legislation.

But the fact is precisely the reverse of this. The majority in Congress, in imposing protecting duties, which are utterly destructive of the interests of South Carolina, not only impose no burthens, but actually confer enriching bounties upon their constituents, proportioned to the burthens they impose upon us. Under these circumstances, the principle of representative responsibility, is perverted into a principle of absolute despotism. It is this very tie, binding the majority of Congress to execute the will of their constituents, which makes them our inexorable oppressors. They dare not open their hearts to the sentiments of human justice, or to the feelings of human sympathy. They are tyrants by the very necessity of their position, however elevated may be their principles, in their individual capacities.

The grave question, then, which we have had to determine, as the sovereign power of the State, upon the awful responsibility under which we have acted, is, whether we will voluntarily surren-

der the glorious inheritance, purchased and consecrated by the toils, the sufferings and the blood of an illustrious ancestry, or transmit that inheritance to our posterity, untarnished and undiminished? We could not hesitate in deciding this question. We have, therefore, deliberately and unalterably resolved, that we will no longer submit to a system of oppression, which reduces us to the degrading condition of tributary vassals; and which would reduce our posterity, in a few generations, to a state of poverty and wretchedness, that would stand in melancholy contrast with the beautiful and delightful region, in which the Providence of God has cast our destinies. Having formed this resolution, with a full view of all its bearings, and of all its probable and possible issues, it is due to the gravity of the subject, and the solemnity of the occasion, that we should speak to our confederate brethren in the plain language of frankness and truth. Though we plant ourselves upon the Constitution, and the immutable principles of justice, and intend to operate exclusively through the civil tribunals and civil functionaries of the State; yet we *will* throw off this oppression, *at every hazard.* We believe our remedy to be essentially peaceful. We believe the Federal Government has no shadow of right or authority to act against a Sovereign State of the Confederacy, in any form; much less to coerce it by military power. But we are aware of the diversities of human opinion, and have seen too many proofs of the infatuation of human power, not to have looked with the most anxious concern to the possibility of a resort to military or naval force on the part of the Federal Government; and in order to obviate the possibility of having the history of this contest stained by a single drop of fraternal blood, we have solemnly and irrevocably resolved that we will regard such a resort as a dissolution of the political ties which connect us with our confederate States, and will forthwith provide for the organization of a new and separate government.

We implore you, and particularly the manufacturing States, not to believe that we have been actuated, in adopting this resolution, by any feeling of resentment or hostility towards them, or by a desire to dissolve the political bonds which have so long united our common destinies. We still cherish that rational devotion to the Union, by which this State has been pre-eminently distinguished in all times past. But that blind and idolatrous devotion which would bow down and worship Oppression and Tyranny, veiled under that consecrated title, if it ever existed among us, has now vanished for ever. CONSTITUTIONAL LIBERTY is the only idol of our political devotion; and, to preserve that, we will not hesitate a single moment to surrender the Union itself, if the sacrifice be necessary. If it had pleased God to cover our eyes with ignorance—if he had not bestowed upon us the understanding to comprehend the enormity of the oppression under which we labor—we might submit to it, without absolute degradation and infamy. But the gifts of Providence cannot be neglected or abused with impunity. A people who deliberately submit to oppression, with a full knowledge that they are oppressed, are fit only to be slaves; and all history proves

that such a people will soon find a master. It is the pre-existing spirit of slavery in the people, that has made tyrants in all ages of the world. No tyrant ever made a slave—no community, however small, having the spirit of freemen, ever yet had a master. The most illustrious of those states which have given to the world examples of human freedom, have occupied territories not larger than some of the districts of South Carolina; while the largest masses of population that were ever united under a common government, have been the abject, spiritless, and degraded slaves of despotic rulers. We sincerely hope, therefore, that no portion of the States of this Confederacy will permit themselves to be deluded into any measures of rashness, by the vain imagination that South Carolina will vindicate her rights and liberties with a less inflexible and unfaltering resolution, with a population of some half a million, than she would do with a population of twenty millions.

It does not belong to Freemen to count the costs, and calculate the hazards of vindicating their rights and defending their liberties; and even if we should stand alone in the worst possible emergency of this great controversy, without the co-operation or encouragement of a single State of the Confederacy, we will march forward with an unfaltering step, until we have accomplished the object of this great enterprise.

Having now presented, for the consideration of the Federal Government and our confederate States, the fixed and final determination of this State in relation to the protecting system, it remains for us to submit a plan of taxation in which we would be willing to acquiesce, in a spirit of liberal concession, provided we are met in due time and in a becoming spirit by the States interested in the protection of manufactures.

We believe that upon every just and equitable principle of taxation, the whole list of protected articles shonld be imported free of all duty, and that the revenue derived from import duties, should be raised exclusively from the unprotected articles, or that whenever a duty is imposed upon protected articles imported, an excise duty of the same rate should be imposed upon all similar articles manufactured in the United States. This would be as near an approach to perfect equality as could possibly be made, in a system of indirect taxation. No substantial reason can be given for subjecting manufactures obtained from abroad in exchange for the productions of South Carolina to the smallest duty, even for revenue, which would not show that similar manufactures made in the United States, should be subject to very same rate of duty. The former, not less than the latter, are, to every rational intent, the productions of domestic industry, and the mode of acquiring the one, is as lawful, and more conducive to the public prosperity, than that of acquiring the other.

But we are willing to make a large offering to preserve the Union; and with a distinct declaration that it is a concession on our part, we will consent that the same rate of duty may be imposed upon the protected articles that shall be imposed upon the unprotected, provided that no more revenue be raised than is ne-

cessary to meet the demands of the Government for Constitutional purposes, and provided also that a duty, substantially uniform, be imposed upon all foreign imports.

It is obvious that even under this arrangement, the manufacturing states would have a decided advantage over the planting states. For it is demonstrably evident that, as communities, the manufacturing states would bear no part of the burden of federal taxation, so far as the revenue should be derived from protected articles. The earnestness with which their representatives seek to increase the duties on these articles, is conclusive proof that those duties are bounties, and not burthens, to their constitutents. As at least two-thirds of the federal revenue would be raised from protected articles, under the proposed modification of the tariff, the manufacturing states would be entirely exempted from all participation in that proportion of the public burthens.

Under these circumstances we cannot permit ourselves to believe for a moment, that in a crisis marked by such portentous and fearful omens, those states can hesitate in acceding to this arrangement, when they perceive that it will be the means, and possibly the only means, of restoring the broken harmony of this great confederacy. They most assuredly have the strongest of human inducements, aside from all considerations of justice, to adjust this controversy, without pushing it to extremities. This can be accomplished only by the proposed modification of the tariff, or by the call of a general convention of all the States. If South Carolina should be driven out of the Union, all the other planting states, and some of the western states would follow by an almost absolute necessity. Can it be believed that Georgia, Mississippi, Tennessee, and even Kentucky, would continue to pay a tribute of fifty per cent upon their consumption, to the northern states, for the privilege of being united to them, when they could receive all their supplies through the ports of South Carolina, without paying a single cent of tribute?

The separation of South Carolina would inevitably produce a general dissolution of the Union; and as a necessary consequence, the protecting system, with all its pecuniary bounties to the northern states, and its pecuniary burthens upon the southern states, would be utterly overthrown and demolished, involving the ruin of thousands and hundreds of thousands in the manufacturing states.

By these powerful considerations connected with their own pecuniary interests, we beseech them to pause and contemplate the disastrous consequences which will certainly result from an obstinate perseverance on their part, in maintaining the protecting system. With them it is a question merely of pecuniary interest, connected with no shadow of right, and involving no principle of liberty. With us, it is a question involving our most sacred rights; those very rights which our common ancestors left to us as a common inheritance, purchased by their common toils, and consecrated by their blood. It is a question of liberty on the one hand, and slavery on the other. If we submit to this system of unconstitutional oppression, we shall voluntarily sink into slavery and trans-

mit that ignominious interitance to our children. We will not, we can not, we dare not, submit to this degradation, and our resolve is fixed and unalterable, that a protecting tariff shall be no longer enforced within the limits of South Carolina. We stand upon the principles of everlasting justice, and no human power shall drive us from our position.

We have not the slightest apprehension that the General Government will attempt to force this system upon us by military power. We have warned our brethren of the consequences of such an attempt. But if, notwithstanding, such a course of madness should be pursued, we here solemnly declare that this system of oppression shall never prevail in South Carolina, until none but slaves are left to submit to it. We would infinitely prefer that the territory of the State should be the cemetery of freemen than the habitation of slaves. Actuated by these principles, and animated by these sentiments, we will cling to the pillars of the temple of our liberties, and if it must fall, we will perish amidst the ruins.

J. HAMILTON, JR.
President of the Convention.

Attest,
ISAAC W. HAYNE, *Clerk.*

No. 6.

IN ASSEMBLY,

January 4, 1833.

REPORT

Of the select committee on the petition of Simeon Hall and Peter Conover.

Mr. C. S. Downing, from the select committee to whom was referred the petition of Simeon Hall and Peter Conover, collectors of taxes in the town of Brooklyn, Kings county,

REPORTS:

That the petitioners represent, that by the existing laws they are allowed until the first Tuesday of November in each year to settle their accounts with the County Treasurer. The petitioners further represent, that by the provisions of law the board of supervisors of said county are bound to deliver their warrants and tax list to the collectors of the several towns of said county on or before the first Tuesday of September in each year. That during the present year however, the said board did not deliver the warrants and tax list to your petitioners until the fourteenth day of September last, and that in consequence of the epidemic which prevailed in said town of Brooklyn, where the warrants are delivered to your petitioners, and of pecuniary distress which resulted from it, and the great number of the inhabitants of said town of Brooklyn, who left their homes during the sickness, the petitioners further represent, that in consequence of the above reasons they have been unable to complete the collection of the taxes in said town within the time allowed by law for that purpose.

Your committee are of the opinion, from the facts set forth by the petitioners, that the prayer of the petitioners is reasonable, and ought to be granted.

Your committee, therefore, ask leave to introduce a bill prepared for that purpose.

No. 7.

IN ASSEMBLY,

January 5, 1833.

PROCLAMATION,

By Andrew Jackson, President of the United States.

Whereas, a Convention assembled in the State of South Carolina, have passed an Ordinance, by which they declare, "That the several acts and parts of acts of the Congress of the United States, purporting to be laws for the imposing of duties and imposts on the importation of foreign commodities, and now having actual operation and effect within the United States, and more especially," two acts for the same purposes passed on the 29th of May, 1828, and on the 14th of July, 1832, "are unauthorized by the Constitution of the United States, and violate the true meaning and intent thereof, and are null and void, and no law," nor binding on the citizens of that state or its officers. and by the said Ordinance it is further declared to be unlawful for any of the constituted authorities of the State or of the United States, to enforce the payment of the duties imposed by the said acts within the same State, and that it is the duty of the Legislature to pass such laws as may be necessary to give full effect to the said Ordinance:

And whereas, by the said Ordinance, it is further ordained, that in no case of law or equity, decided in the courts of said State, wherein shall be drawn in question the validity of the said Ordi-

nance, or of the acts of the Legislature that may be passed to give it effect, of the said laws of the United States, no appeal shall be allowed to the Supreme Court of the United States, nor shall any copy of the record be permitted or allowed for that purpose, and that any person attempting to take such appeal, shall be punished as for a contempt of court:

And, finally, the said Ordinance declares, that the people of South Carolina will maintain the said Ordinance at every hazard; and that they will consider the passage of any act by Congress abolishing or closing the ports of the said State, or otherwise obstructing the free ingress or egress of vessels to and from the said ports, or any other act of the federal government to coerce the State, shut up her ports, destroy or harrass her commerce, or to enforce the said acts otherwise than through the civil tribunals of the country, as inconsistent with the longer continuance of South Carolina in the Union, and that the people of the said State will thenceforth hold themselves absolved from all further obligation to maintain or preserve their political connection with the people of the other States, and will forthwith proceed to organize a separate government, and do all other acts and things which sovereign and independent states may of right do:

And whereas the said Ordinance prescribes to the people of South Carolina a course of conduct in direct violation of their duty as citizens of the United States, contrary to the laws of their country, subversive of the Constitution, and having for its object the destruction of the Union—that Union, which, coeval with our political existence, led our fathers, without any other ties to unite them than those of patriotism and a common cause, through a sanguinary struggle to a glorious independence—that sacred Union, hitherto inviolate, which, perfected by our happy Constitution, has brought us, by the favor of heaven, to a state of prosperity at home, and high consideration abroad, rarely, if ever, equalled in the history of nations. To preserve this bond of our political existence from destruction, to maintain inviolate this state of national honor and prosperity, and to justify the confidence my fellow citizens have reposed in me, I, ANDREW JACKSON, *President of the United States*, have thought proper to issue this my PROCLAMATION, stating my views of the Constitution and laws applicable to the measures adopted by the Convention of South Ca-

rolina, and to the reasons they have put forth to sustain them, declaring the course which duty will require me to pursue, and appealing to the understanding and patriotism of the people, warn them of the consequences that must inevitably result from an observance of the dictates of the Convention.

Strict duty would require of me nothing more than the exercise of those powers with which I am now, or may hereafter be invested, for preserving the peace of the Union, and for the execution of the laws. But the imposing aspect which opposition has assumed in this case, by clothing itself with state authority, and the deep interest which the people of the United States must all feel in preventing a resort to stronger measures, while there is a hope that any thing will be yielded to reasoning and remonstrance, perhaps demand, and will certainly justify, a full exposition to South Carolina and the Nation, of the views I entertain of this important question, as well as a distinct enunciation of the course which my sense of duty will require me to pursue.

The ordinance is founded, not on the indefeasible right of resisting acts which are plainly unconstitutional and too oppressive to be endured; but on the strange position that any one State may not only declare an act of Congress void, but prohibit its execution—that they may do this consistently with the Constitution—that the true construction of that instrument permits a State to retain its place in the Union, and yet be bound by no other of its laws than those it may choose to consider as constitutional. It is true, they add, that to justify this abrogation of a law, it must be palpably contrary to the Constitution; but it is evident that to give the right of resisting laws of that description, coupled with the uncontrolled right to decide what laws deserve that character, is to give the power of resisting all laws. For, as by the theory there is no appeal, the reasons alleged by the State, good or bad, must prevail. If it should be said that public opinion is a sufficient check against the abuse of this power, it may be asked why it is not deemed a sufficient guard against the passage of an unconstitutional act by Congress. There is, however, a restraint in this last case, which makes the assumed power of a state more indefensible, and which does not exist in the other. There are two appeals from an unconstitutional act passed by Congress—one to the judiciary, the other to the people and the States.

There is no appeal from the State decision in theory, and the practical illustration shows that the courts are closed against an application to review it, both judges and jurors being sworn to decide in its favor. But reasoning on this subject is superfluous when our social compact in express terms declares that the laws of the United States, its Constitution and treaties made under it, are the supreme law of the land—and for greater caution adds, "that the judges in every State shall be bound thereby, any thing in the constitution or laws of any State to the contrary notwithstanding." And it may be asserted without fear of refutation, that no federative government could exist without a similar provision. Look for a moment to the consequence. If South Carolina considers the revenue laws unconstitutional, and has a right to prevent their execution in the port of Charleston, there would be a clear constitutional objection to their collection in every other port, and no revenue could be collected any where; for all imposts must be equal. It is no answer to repeat, that an unconstitutional law is no law, so long as the question of its legality is to be decided by the State itself; for every law operating injuriously upon any local interest will be perhaps thought, and certainly represented, as unconstitutional, and, as has been shown, there is no appeal.

If this doctrine had been established at an earlier day, the Union would have been dissolved in its infancy. The excise law in Pennsylvania, the embargo and non-intercourse law in the eastern States, the carriage tax in Virginia, were all deemed unconstitutional, and were more unequal in their operation than any of the laws now complained of; but fortunately none of those States discovered that they had the right now claimed by South Carolina. The war into which we were forced to support the dignity of the nation and the rights of our citizens, might have ended in defeat and disgrace instead of victory and honor, if the States who supposed it a ruinous and unconstitutional measure had thought they possessed the right of nullifying the act by which it was declared, and denying supplies for its prosecution. Hardly and unequally as those measures bore upon several members of the Union, to the Legislatures of none did this efficient and peaceable remedy, as it is called, suggest itself. The discovery of this important feature in our Constitution was reserved to the present

day. To the statesmen of South Carolina belongs the invention, and upon the citizens of that State will unfortunately fall the evils of reducing it to practice.

If the doctrine of a State veto upon the laws of the Union carries with it internal evidence of its impracticable absurdity, our constitutional history will also afford abundant proof that it would have been repudiated with indignation had it been proposed to form a feature in our government.

In our colonial state, although dependent on another power, we very early considered ourselves as connected by common interest with each other. Leagues were formed for common defence, and before the Declaration of Independence we were known in our aggregate character AS THE UNITED COLONIES OF AMERICA. That decisive and important step was taken jointly. We declared ourselves a nation by a joint, not by several acts, and when the terms of our confederation were reduced to form, it was in that of a solemn league of several States by which they agreed that they would collectively form one nation for the purpose of conducting some certain domestic concerns and all foreign relations. In the instrument forming that union is found an article which declares that "every State shall abide by the determinations of Congress on all questions which by that confederation should be submitted to them."

Under the confederation then, no State could legally annul a decision of the Congress, or refuse to submit to its execution; but no provision was made to enforce these decisions. Congress made requisitions but they were not complied with. The government could not operate on individuals. They had no judiciary, no means of collecting revenue.

But the defects of the confederation need not be detailed. Under its operation we could scarcely be called a nation. We had neither prosperity at home nor consideration abroad. This state of things could not be endured, and our present happy constitution was formed, but formed in vain, if this fatal doctrine prevails. It was formed for important objects that are announced in the preamble made in the name and by the authority of the people of the United States, whose delegation framed, and whose conventions approved it. The most important among these objects, that

which is placed first in rank, on which all the others rest, is, "*to form a more perfect union.*" Now, is it possible that even if there were no express provision giving supremacy to the constitution and laws of the United States over those of the States—can it be conceived, that an instrument made for the purpose of "*forming a more perfect union,*" than that of the confederation, could be so constructed by the assembled wisdom of our country as to substitute for that confederation a form of government dependent for its existence on the local interest, the party spirit of a State, or of a prevailing faction in a State? Every man of plain, unsophisticated understanding, who hears the question, will give such an answer as will preserve the Union. Metaphysical subtlety, in pursuit of an impracticable theory, could alone have devised one that is calculated to destroy it.

I consider then the power to annul a law of the United States, assumed by one State, INCOMPATIBLE WITH THE EXISTENCE OF THE UNION, CONTRADICTED EXPRESSLY BY THE LETTER OF THE CONSTITUTION, UNAUTHORIZED BY ITS SPIRIT, INCONSISTENT WITH EVERY PRINCIPLE ON WHICH IT WAS FOUNDED, AND DESTRUCTIVE OF THE GREAT OBJECT FOR WHICH IT WAS FORMED.

After this general view of the leading principle, we must examine the particular application of it which is made in the Ordinance.

The preamble rests its justification on these grounds—It assumes a fact, that the obnoxious laws, although they purport to be laws for raising revenue, were in reality intended for the protection of manufactures, which purpose it asserts to be unconstitutional; that the amount raised by them is greater than is required by the wants of the government; and finally that the proceeds are to be applied to objects unauthorized by the Constitution. These are the only causes alleged to justify an open opposition to the laws of the country, and a threat of seceding from the Union, if any attempt should be made to enforce them. The first virtually acknowledges, that the law in question was passed under a power expressly given by the Constitution, to lay and collect imposts; but its constitutionality is drawn in question from the *motives* of those who passed it. However apparent this purpose may be in the present case, nothing can be more dangerous than

to admit the position that an unconstitutional purpose, entertained by the members who assent to a law enacted under a constitutional power, shall make the law void; for how is that purpose to be ascertained? Who is to make the scrutiny? How often may bad purposes be falsely imputed—in how many cases are they concealed by false professions—in how many is no declaration of motive made? Admit this doctrine, and you give to the States an uncontrolled right to decide, and every law may be annulled under this pretext. If, therefore, the absurd and dangerous doctrine should be admitted, that a State may annul an unconstitutional law, or one that it deems such, it will not apply to the present case.

The next objection is, that the laws in question operate unequally. This objection may be made with truth, to every law that has been or can be passed. The wisdom of man never yet contrived a system of taxation that would operate with perfect equality. If the unequal operation of a law makes it unconstitutional, and if all laws of that description may be abrogated by any State for that cause, then indeed is the Federal Constitution unworthy of the slightest effort for its preservation. We have hitherto relied on it as the perpetual bond of our Union. We have received it as the work of the assembled wisdom of the nation. We have trusted to it as to the sheet anchor of our safety in the stormy times of conflict with a foreign or domestic foe. We have looked to it with sacred awe as to the palladium of our liberties, and with all the solemnities of religion have pledged to each other our lives and fortunes here, and our hopes of happiness hereafter, in its defence and support. Were we mistaken, my countrymen, in attaching this importance to the constitution of our country? Was our devotion paid to the wretched, inefficient, clumsy contrivance, which this new doctrine would make it? Did we pledge ourselves to the support of an airy nothing, a bubble that must be blown away by the first breath of disaffection? Was this self-destroying, visionary theory, the work of the profound statesmen, the exalted patriots, to whom the task of constitutional reform was entrusted? Did the name of Washington sanction, did the States deliberately ratify such an anomaly in the history of fundamental legislation? No. We were not mistaken. The letter of this great instrument is free from this radical fault; its language directly contradicts the imputation; its spirit—its evident intent contradicts it. No, we did not err! Our constitution does not contain

the absurdity of giving power to make laws and another power to resist them. The sages whose memory will always be reverenced have given us a practical, and as they hoped, a permanent constitutional compact. The father of his country did not affix his revered name to so palpable an absurdity. Nor did the States, when they severally ratified it, do so under the impression that a veto on the laws of the United States was reserved to them, or that they could exercise it by implication. Search the debates in all their conventions—examine the speeches of the most zealous opposers of Federal authority—look at the amendments that were proposed—they are all silent—not a syllable uttered, not a vote given, not a motion made to correct the explicit supremacy given to the laws of the Union over those of the States—or to show that implication, as is now contended, could defeat it. No, we have not erred! The Constitution is still the object of our reverence, the bond of our Union, our defence in danger, the source of our prosperity in peace. It shall descend as we have received it, uncorrupted by sophistical construction, to our posterity; and the sacrifices of local interest, of State prejudices, of personal animosities, that were made to bring it into existence, will again be patriotically offered for its support.

The two remaining objections made by the Ordinance to these laws are that the sums intended to be raised by them are greater than are required, and that the proceeds will be unconstitutionally employed.

The Constitution has given expressly to Congress the right of raising revenue and of determining the sum the public exigencies will require. The States have no control over the exercise of this right, other than that which results from the power of changing the Representatives who abuse it, and thus procure redress. Congress may undoubtedly abuse this discretionary power, but the same may be said of others with which they are vested. Yet the discretion must exist somewhere. The Constitution has given it to the Representatives of all the people checked by the Representatives of the States, and by the Executive power. The South Carolina construction gives it to the Legislature or the Convention of a single State, where neither the people of the different States, nor the States in their separate capacity, nor the Chief Magistrate elected by the people have any representation. Which is the most discreet disposition of the power? I do not ask you,

fellow-citizens, which is the constitutional disposition—that instrument speaks a language not to be misunderstood. But if you were assembled in general convention, which would you think the safest depository of this discretionary power in the last resort? Would you add a clause giving it to each of the States, or would you sanction the wise provisions already made by your Constitution? If this should be the result of your deliberations when providing for the future, are you, can you be ready to risk all we hold dear, to establish, for a temporary and local purpose, that which you must acknowledge to be destructive and even absurd as a general provision? Carry out the consequences of this right vested in the different States, and you must perceive that the crisis your conduct presents at this day would recur whenever any law of the United States displeased any of the States, and we should soon cease to be a nation.

The Ordinance, with the same knowledge of the future that characterises a former objection, tells you that the proceeds of the tax will be unconstitutionally applied. If this could be ascertained with certainty, the objection would, with more propriety be reserved for the law so applying the proceeds, but surely cannot be urged against the laws levying the duty.

These are the allegations contained in the Ordinance. Examine them seriously, my fellow-citizens—judge for yourselves. I appeal to you to determine whether they are so clear, so convincing, as to leave no doubt of their correctness; and even if you should come to this conclusion, how far they justify the reckless, destructive course which you are directed to pursue. Review these objections, and the conclusions drawn from them once more. What are they? Every law then for raising revenue, according to the South Carolina Ordinance, may be rightfully annulled, unless it be so framed as no law ever will or can be framed. Congress have a right to pass laws for raising revenue, and each State has a right to oppose their execution—two rights directly opposed to each other—and yet is this absurdity supposed to be contained in an instrument drawn for the express purpose of avoiding collisions between the States and the General Government, by an assembly of the most enlightened statesmen and purest patriots ever embodied for a similar purpose.

In vain have these sages declared that Congress shall have power to lay and collect taxes, duties, imposts, and excises; in vain have they provided that they shall have power to pass laws which shall be necessary and proper to carry those powers into execution, that those laws and that Constitution shall be the "supreme law of the land, and that the Judges in every State shall be bound thereby, any thing in the Constitution or laws of any State to the contrary notwithstanding:" In vain have the people of the several States solemnly sanctioned these provisions, made them their paramount law, and individually sworn to support them whenever they were called on to execute any office. Vain provisions! ineffectual restrictions! vile profanation of oaths! miserable mockery of legislation!—if a bare majority of the voters in any one State may, on a real or supposed knowledge of the intent with which a law has been passed, declare themselves free from its operation—say here it gives too little, there too much, and operates unequally—here it suffers articles to be free that ought to be taxed—there it taxes those that ought to be free—in this case the proceeds are intended to be applied to purposes which we do not approve—in that the amount raised is more than is wanted. Congress, it is true, are invested by the Constitution with the right of deciding these questions according to their sound discretion: Congress is composed of the representatives of all the States, and of all the people of all the States; but WE, part of the people of one State, to whom the Constitution has given no power on the subject, from whom it has expressly taken it away—*we*, who have solemnly agreed that this Constitution shall be our law—*we*, most of whom have sworn to support it—*we* now abrogate this law, and swear, and force others to swear, that it shall not be obeyed.—And we do this, not because Congress have no right to pass such laws; this we do not allege, but because they have passed them with improper views. They are unconstitutional from the motives of those who passed them, which we can never with certainty know—from their unequal operation, although it is impossible from the nature of things that they should be equal—and from the disposition which we presume may be made of their proceeds, although that disposition has not been declared. This is the plain meaning of the Ordinance in relation to laws which it abrogates for alleged unconstitutionality. But it does not stop there. It repeals, in express terms, an important part of the Constitution itself, and of laws passed to give it effect, which have never been alleged to be unconstitutional. The Constitution declares that

the judicial powers of the United States extend to cases arising under the laws of the United States, and that such laws, the Constitution and Treaties, shall be paramount to the State Constitutions and laws. The judiciary act prescribes the mode by which the case may be brougbt before a Court of the United States by appeal, when a State tribunal shall decide against this provision of the Constitution. The Ordinance declares there shall be no appeal—makes the State law paramount to the Constitution and laws of the United States—forces judges and jurors to swear that they will disregard their provisions; and even makes it penal in a suitor to attempt relief by appeal. It further declares that it shall not be lawful for the authorities of the United States, or of that State, to enforce the payment of duties imposed by the revenue laws within its limits.

Here is a law of the United States not even pretended to be unconstitutional, repealed by the authority of a small majority of the voters of a single State. Here is a provision of the Constitution which is solemnly abrogated by the same authority.

On such expositions and reasonings the Ordinance grounds not only an assertion of the right to annul the laws of which it complains, but to enforce it by a threat of seceding from he Union if any attempt is made to execute them.

This right to secede is deduced from the nature of the Constitution, which they say is a compact between sovereign States, who have preserved their whole sovereignty. and therefore are subject to no superior; that because they made the compact, they can break it, when in their opinion it has been departed from by the other States. Fallacious as this course of reasoning is, it unites State pride, and finds advocates in the honest prejudices of those who have not studied the nature of our government sufficiently to see the radical errors on which it rests.

The people of the United States formed the Constitution, acting through the State Legislatures in making the compact, to meet and discuss its provisions, and acting in separate conventions when they ratified those provisions; but the terms used in its construction, show it to be a government in which the people of all the States collectively are represented. We are one people in the choice of the President and Vice-President. Here the States have no other agency than to direct the mode in which the votes shall

be given. The candidates having the majority of all the votes are chosen. The electors of a majority of States may have given their votes for one candidate, and yet another may be chosen.—The people, then, and not the States, are represented in the executive branch.

In the House of Representatives, there is this difference, that the people of one State do not, as in the case of President and Vice-President, all vote for the same officers. The people of all the States do not vote for all the members, each State electing only its own representatives. But this creates no material distinction. When chosen, they are all representatives of the United States, not representatives of the particular State from which they come. They are paid by the United States, not by the State; nor are they accountable to it for any act done in the performance of their legislative functions; and however they may in practice, as it is their duty to do, consult and prefer the interests of their particular constituents, when they come in conflict with any other partial or local interest, yet it is their first and highest duty, as representatives of the United States, to promote the general good.

The Constitution of the United States then forms a government, not a league, and whether it be formed by compact between the States, or in any other manner, its character is the same. It is a Government in which all the people are represented, which operates directly on the people individually, not upon the States—they retained all the power they did not grant. But each State having expressly parted with so many powers as to constitute jointly with the other States a single nation, cannot from that period possess any right to secede, because such secession does not break a league, but destroys the unity of a nation, and any injury to that unity is not only a breach which would result from the contravention of a compact, but it is an offence against the whole Union. To say that any State may at pleasure secede from the Union, is to say that the United States are not a Nation; because it would be a solecism to contend that any part of a nation might dissolve its connexion with the other parts, to their injury or ruin, without committing any offence. Secession, like any other revolutionary act, may be morally justified by the extremity of oppression; but to call it a Constitutional right is confounding the meaning of terms, and can only be done through gross error, or to deceive those who are willing to assert a right, but would pause be-

fore they made a revolution or incur the penalties consequent on a failure.

Because the Union was formed by compact, it is said the parties to that compact may, when they feel themselves aggrieved, depart from it; but it is precisely because it is a compact that they cannot. A compact is an agreement or binding obligation. It may by its terms have a sanction or penalty for its breach, or it may not. If it contain no sanction, it may be broken with no other consequence than moral guilt; if it have a sanction, then the breach incurs the designated or implied penalty. A league between independent nations, generally, has no sanction other than a moral one; or if it should contain a penalty, as there is no common superior, it cannot be enforced. A Government, on the contrary, always has a sanction, express or implied; and, in our case, it is both necessarily implied and expressly given. An attempt by force of arms to destroy a Government, is an offence, by whatever means the Constitutional compact may have been formed; and such Government has the right, by the law of self-defence, to pass acts for punishing the offender, unless that right is modified, restrained or resumed by the Constitutional act. In our system, although it is modified in the case of treason, yet authority is expressly given to pass all laws necessary to carry its powers into effect, and under this grant provision has been made for punishing acts which obstruct the due administration of the laws.

It would seem superfluous to add any thing to show the nature of the union which connects us; but as erroneous opinions on this subject are the foundation of doctrines the most destructive to our peace, I must give some further development of my views on this subject. No one, fellow-citizens, has a higher reverence for the reserved rights of the States, than the magistrate who now addresses you. No one would make greater personal sacrifices or official exertions, to defend them from violation; but equal care must be taken to prevent on their part an improper interference with, or resumption of, the rights they have vested in the Nation. The line has not been so distinctly drawn as to avoid doubts in some cases of the exercise of power. Men of the best intentions and soundest views may differ in their construction of some parts of the Constitution; but there are others on which dispassionate reflection can leave no doubt. Of this nature appears to be the assumed right of secession. It rests, as we have seen, on the al-

leged undivided sovereignty of the States, and on their having formed in this sovereign capacity a compact which is called the Constitution, from which, because they made it, they have the right to secede. Both of these positions are erroneous, and some of the arguments to prove them so have been anticipated.

The States severally have not retained their entire sovereignty. It has been shewn that in becoming parts of a nation, not members of a league, they surrendered many of their essential parts of sovereignty. The right to make treaties—declare war—levy taxes—exercise exclusive judicial and legislative powers—were all of them functions of sovereignn power. The States, then, for all these important purposes, were no longer sovereign. The allegiance of their citizens was transferred in the first instance to the Government of the United States—they became American citizens, and owed obedience to the Constitution of the United States, and to laws made in conformity with the powers it vested in Congress. This last position has not and cannot be denied. How then can that State be said to be sovereign and independent, whose citizens owe obedience to laws not made by it, and whose magistrates are sworn to disregard those laws when they come in contact with those passed by another? What shows conclusively that the State cannot be said to have reserved an undivided sovereignty, is, that they expressly ceded the right to punish treason, not treason against their separate power, but treason against the United States. Treason is an offence against *sovereignty*, and sovereignty must reside with the power to punish it. But the reserved rights of the States are not less sacred because they have for their common interest made the General Government the depository of these powers. The unity of our political character, (as has been shewn for another purpose,) commenced with its very existence. Under the Royal Government we had no separate character; our opposition to its oppressions began as UNITED COLONIES. We were the UNITED STATES under the confederation, and the name was perpetuated and the Union rendered more perfect by the Federal Constitution. In none of these stages did we consider ourselves in any other light than as forming one nation. Treaties and alliances were made in the name of all. Troops were raised for the joint defence. How then, with all these proofs that under all changes of our positions we had, for designated purposes, and with defined powers, created national governments—how is it, that the most perfect of those several modes of union, should now be con-

sidered as a mere league that may be dissolved at pleasure? It is from an abuse of terms. Compact is used as synonymous with league, although the true term is not employed, because it would at once show the fallacy of the reasoning. It would not do to say that our Constitution is only a league, but it is labored to prove it a compact, (which in one sense it is,) and then to argue, that as a league is a compact, every compact between nations must of course be a league, and that from such an engagement every sovereign power has a right to recede. But it has been shown that in this sense the States are not sovereign, and that even if they were and the national constitution had been formed by compact, there would be no right in any one State to exhonorate itself from its obligations.

So obvious are the reasons which forbid this secession, that it is necessary only to allude to them. The Union was formed for the benefit of all. It was produced by mutual sacrifices of interests and opinions. Can those sacrifices be recalled? Can the States who magnanimously surrendered their titles to the Territories of the West, recal the grant? Will the inhabitants of the inland States agree to pay the duties that may be imposed without their assent by those on the Atlantic or the Gulf, for their own benefit? Shall there be a free port in one State, and onerous duties in another? No one believes that any right exists in a single State to involve all the others in these and countless other evils, contrary to engagements solemnly made. Every one must see that the other States, in self defence, must oppose it at all hazards.

These are the alternatives that are presented by the Convention. A repeal of all the acts for raising revenue, leaving the government without the means of support; or an acquiescence in the dissolution of our Union by the secession of one of its members. When the first was proposed, it was known that it could not be listened to for a moment. It was known if force was applied to oppose the execution of the laws, that it must be repelled by force—that Congress could not, without involving itself in disgrace and the country in ruin, accede to the proposition; and yet if this is not done in a given day, or if any attempt is made to execute the laws, the State is, by the ordinance, declared to be out of the Union.

The majority of a Convention called for the purpose, have dictated these terms, or rather this rejection of all terms, in the name of the people of South Carolina. It is true that the Governor of the State speaks of the submission of their grievances to a Convention of all the States; which he says they "sincerely and anxiously seek and desire." Yet this obvious and constitutional mode of obtaining the sense of the other States on the construction of the federal compact, and amending it if necessary, has never been attempted by those who have urged the State on to this destructive measure. The State might have proposed the call for a general convention of the other States; and Congress, if a sufficient number of them concurred, must have called it. But the first magistrate of South Carolina, when he expressed a hope that "on a review by Congress and the functionaries of the general government, of the merits of the controversy," such a convention will be accorded to them, must have known that neither Congress nor any functionary of the general government has authority to call such a convention, unless it be demanded by two-thirds of the States. The suggestion then, is another instance of the reckless inattention to the provisions of the Constitution with which the crisis has been madly hurried on; or of the attempt to persuade the people that a constitutional remedy had been sought and refused. If the Legislature of South Carolina "anxiously desires" a general convention to consider their complaints, why have they not made application for it in the way the Constitution points out. The assertion that they "earnestly seek" it, is completely negatived by the omission.

This, then, is the position in which we stand. A small majority of the citizens of one State in the Union have elected delegates to a State Convention: that Convention has ordained that all the revenue laws of the United States must be repealed, or that they are no longer a member of the Union. The Governor of that State has recommended to the Legislature the raising of an army to carry the secession into effect, and that he may be empowered to give clearances to vessels in the name of the State. No act of violent opposition to the laws has yet been committed, but such a state of things is hourly apprehended, and it is the intent of this instrument to PROCLAIM, not only that the duty imposed on me by the Constitution "to take care that the laws be faithfully executed," shall be performed to the extent of the powers already vested in me by law, or of such others as the

wisdom of Congress shall devise and entrust to me for that purpose; but to warn the citizens of South Carolina, who have been deluded into an opposition to the laws, of the danger they will incur by obedience to the illegal and disorganizing Ordinance of the Convention—to exhort those who have refused to support it to persevere in their determination to uphold the Constitution and laws of their country—and to point out to all the perilous situation into which the good people of that State have been led—and that the course they are urged to pursue is one of ruin and disgrace to the very State whose rights they affect to support.

Fellow citizens of my native State! let me not only admonish you, as the first magistrate of our common country, not to incur the penalty of its laws, but use the influence that a father would over his children, whom he saw rushing to certain ruin. In that paternal language, with that paternal feeling, let me tell you, my countrymen, that you are deluded by men who are either deceived themselves, or wish to deceive you. Mark under what pretences you have been led on to the brink of insurrection and treason, on which you stand! First, a diminution of the value of your staple commodity, lowered by over-production in other quarters, and the consequent diminution in the value of your lands, were the sole effect of the tariff laws. The effect of those laws was confessedly injurious, but the evil was greatly exaggerated by the unfounded theory you were taught to believe, that its burthens were in proportion to your exports, not to your consumption of imported articles. Your pride was roused by the assertion that a submission to those laws was a state of vassallage, and that resistance to them was equal, in patriotic merit, to the opposition our Fathers offered to the oppressive laws of Great Britain. You were told that this opposition might be peaceably—might be constitutionally made—that you might enjoy all the advantages of the Union, and bear none of its burthens. Eloquent appeals to your passions, to your State pride, to your native courage, to your sense of real injury, were used to prepare you for the period when the mask which concealed the hideous features of NULLIFICATION should be taken off. It fell, and you were made to look with complacency on objects which not long since you would have regarded with horror. Look back to the arts which have brought you to this state; look forward to the consequences to which it must inevitably lead! Look back to what was first told you as an inducement to enter into this dangerous cause. The

great political truth was repeated to you, that you had the revolutionary right of resisting all laws that were palpably unconstitutional and intolerably oppressive—it was added that the right to nullify a law rested on the same principle, but that it was a peaceable remedy! This character which was given to it, made you receive with too much confidence the assertions that were made of the unconstitutionality of the law and its oppressive effects.

Mark, my fellow-citizens, that by the admission of your leaders, the unconstitutionality must be palpable, or it will not justify either resistance or nullification! What is the meaning of the word *palpable* in the sense in which it is here used?—that which is apparent to every one, that which no man of ordinary intellect will fail to perceive. Is the unconstitutionality of these laws of that description?—Let those among your leaders who once approved and advocated the principle of protective policy, answer the question; and let them choose whether they will be considered as incapable, then, of perceiving that which must have been apparent to every man of common understanding, or as imposing upon your confidence and endeavoring to mislead you now. In either case they are unsafe guides in the perilous paths they urge you to tread. Ponder well on this circumstance, and you will know how to appreciate the exaggerated language they address to you. They are not champions of liberty emulating the fame of our Revolutionary Fathers, nor are you an oppressed people, contending, as they repeat to you, against worse than colonial vassalage. You are free members of a flourishing and happy Union. There is no settled design to oppress you. You have indeed felt the unequal operations of laws which may have been unwisely, not unconstitutionally passed; but that inequality must necessarily be removed.

At the very moment when you were madly urged on to the unfortunate course you have begun, a change in public opinion had commenced. The nearly approaching payment of the public debt, and the consequent necessity of a diminution of duties, had already produced a considerable reduction, and that too on some articles of general consumption in your State. The importance of this change was understood, and you were authoritatively told that no further alleviation of your burdens was to be expected at the very time when the condition of the country imperiously demanded such a modification of the duties as should reduce them to a just and

equitable scale. But, as if apprehensive of the effect of this change in allaying your discontents, you were precipitated into the fearful state in which you now find yourselves.

I have urged you to look back to the means that were used to hurry you on to the position you have now assumed, and forward to the consequences it will produce. Something more is necessary. Contemplate the condition of that country of which you still form an important part!—consider its government uniting in one bond of common interest and general protection so many different states—giving to all their inhabitants the proud title of *American citizens*—protecting their commerce—securing their literature and their arts—facilitating their intercommunication, defending their frontiers—and making their name respected in the remotest parts of the earth! Consider the extent of its territory, its increasing and happy population, its advance in arts which render life agreeable, and the sciences which elevate the mind: See education spreading the lights of religion, humanity, and general information into every cottage in this wide extent of our Territories and States! Behold it as the asylum where the wretched and the oppressed find a refuge and support! Look on this picture of happiness and honor, and say, WE, TOO ARE CITIZENS OF AMERICA: Carolina is one of these proud states: her arms have defended; her best blood has cemented this happy Union! And then add, if you can, without horror and remorse, this happy Union we will dissolve—this picture of peace and prosperity we will deface—this free intercourse we will interrupt—these fertile fields we will deluge with blood—the protection of that glorious flag we renounce—the very name of Americans we discard. And for what, mistaken men! for what do you throw away these inestimable blessings—for what would you exchange your share in the advantages and honor of the Union. For the dream of a separate independence—a dream interrupted by bloody conflicts with your neighbors, and a vile dependence on a foreign power. If your leaders could succeed in establishing a separation, what would be your situation? Are you united at home—are you free from the apprehension of civil discord, with all its fearful consequences? Do our neighboring republics, every day suffering some new revolution or contending with some new insurrection—do they excite your envy? But the dictates of a high duty oblige me solemnly to announce that you cannot succeed.

The laws of the United States must be executed. I have no discretionary power on the subject; my duty is emphatically pronounced in the Constitution. Those who told you that you might peaceably prevent their execution, deceived you—they could not have been deceived themselves. They know that a forcible opposition could alone prevent the execution of the laws, and they know that such opposition must be repelled. Their object is disunion: but be not deceived by names; disunion, by armed force, is TREASON. Are you really ready to incur its guilt? If you are, on the heads of the instigators of the threat be the dreadful consequences—on their heads be the dishonor, but on yours may fall the punishment; on your unhappy State will inevitably fall all the evils of the conflict you force upon the government of your country. It cannot accede to the mad project of disunion of which you would be the first victims—its first magistrate cannot, if he would, avoid the performance of his duty. The consequence must be fearful for you, distressing to your fellow-citizens here, and to the friends of good government throughout the world.

Its enemies have beheld our prosperity with a vexation they could not conceal; it was a standing refutation of their slavish doctrines, and they will point to our discord with a triumph of malignant joy. It is yet in your power to disappoint them. There is yet time to show that the descendants of the Pinckneys, the Sumpters, the Rutledges, and of the thousand other names which adorn the pages of your revolutionary history, will not abandon that Union, to support which so many of them fought and bled and died. I adjure you, as you honor their memory—as you love the cause of freedom, to which they dedicated their lives—as you prize the peace of your country, the lives of its best citizens, and your own fair fame, to retrace your steps. Snatch from the archives of your State the disorganizing edict of its Convention; bid its members to re-assemble and promulgate decided expressions of your will to remain in the path which alone can conduct you to safety, prosperity and honor; tell them that, compared to disunion, all other evils are light, because that brings with it an accumulation of all; declare that you will never take the field, unless the star-spangled banner of your country shall float over you; that you will not be stigmatized when dead, and dishonored and scorned while you live, as the authors of the first attack on the Constitution of your country! Its destroyers you cannot be. You may disturb its peace—you may interrupt the course of its prosperity—

you may cloud its reputation for stability; but its tranquillity will be restored, its prosperity will return, and the stain upon its national character will be transferred, and remain an eternal blot on the memory of those who caused the disorder.

Fellow-citizens of the United States! The threat of unhallowed disunion—the names of those, once respected, by whom it is uttered—the array of military force to support it—denote the approach of a crisis in our affairs, on which the continuance of our unexampled prosperity, our political existence, and perhaps that of all free governments, may depend. The conjuncture demanded a free, a full and explicit enunciation, not only of my intentions, but of my principles of action; and as the claim was asserted of a right by a State to annul the laws of the Union, and even to secede from it at pleasure, a frank exposition of my opinions in relation to the origin and form of our government, and the construction I give to the instrument by which it was created, seemed to be proper. Having the fullest confidence in the justness of the legal and constitutional opinion of my duties which has been expressed, I rely with equal confidence on your undivided support in my determination to execute the laws—to preserve the Union by all constitutional means—to arrest, if possible, by moderate but firm measures, the necessity of a recourse to force; and if it be the will of Heaven that the recurrence of its primeval curse on man for the shedding of a brother's blood should fall upon our land, that it be not called down by any offensive act on the part of the United States.

Fellow-citizens! The momentous case is now before you. On your undivided support of your government depends the decision of the great question it involves, whether your sacred Union will be preserved, and the blessing it secures to us as one people shall be perpetuated. No one can doubt that the unanimity with which that decision will be expressed, will be such as to inspire new confidence in republican institutions, and that the prudence, the wisdom and the courage which it will bring to their defence, will transmit them unimpaired and invigorated to our children.

May the great Ruler of nations grant that the signal blessings with which He has favored ours, may not by the madness of party or personal ambition be disregarded and lost: and may His wise providence bring those who have produced this crisis, to see the

folly, before they feel the misery of civil strife; and inspire a returning veneration for that Union which, if we may dare to penetrate His designs, he has chosen as the only means of attaining the high destinies to which we may reasonably aspire.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the City of Washington this tenth day of December, in the year of our Lord one thousand eight hundred and thirty-two, and of the Independence of the United States the fifty-seventh.

ANDREW JACKSON.

By the President:

EDW. LIVINGSTON,
Secretary of State.

No. 8.

IN ASSEMBLY,

January 5, 1833.

Standing Committees of the Assembly.

JANUARY, 1833.

Committee on Ways and Means.

Mr. Van Duzer,
Mr. Wager,
Mr. Cromwell,
Mr. Allen,
Mr. Jackson.

Committee on Grievances.

Mr. French,
Mr. Anderson,
Mr. Swartwood,
Mr. Fonda,
Mr. Mersereau.

Committee on Privileges and Elections.

Mr. Angel,
Mr. Pierson,
Mr. Lasher,
Mr. Cornell,
Mr. Fox.

Committee on the Judiciary.

Mr. Livingston,
Mr. Farrington,
Mr. Burwell,
Mr. I. C. Baker,
Mr. Skinner.

Committee on Expiring Laws.

Mr. Brinckerhoff,
Mr. E. Cleaveland,
Mr. Wicks,
Mr. S. Stevens,
Mr. A. Smith.

Committee on Claims.

Mr. Russell,
Mr. Couch,
Mr. Boucher,
Mr. Dewey,
Mr. Byington.

Committee on Colleges, Academies and Common Schools.

Mr. McKeon,
Mr. Carlisle,
Mr. Lawyer,
Mr. Norton,
Mr. C. Rogers.

Committee on Engrossed Bills.

Mr. Varian,
Mr. Watson,
Mr. Mattice,
Mr. Whitney,
Mr. Sheldon.

Committee on the Erection and Division of Towns and Counties.

Mr. Dodge,
Mr. Chandler,
Mr. Goslee,
Mr. Butrick,
Mr. Pond.

Committee on the Incorporation of Cities and Villages.

Mr. Ostrander,
Mr. Craig,
Mr. Bishop,
Mr. Utley,
Mr. Woods.

Committee on Agriculture.

Mr. Skinner,
Mr. Finch,
Mr. Kernan,
Mr. Shear,
Mr. Prendergast.

Committee on the Incorporation of Charitable and Religious Societies.

Mr. Downing,
Mr. Settle,
Mr. Ives,
Mr. Brown,
Mr. Woodworth.

Committee on the Incorporation and Alteration of the Charters of Banking and Insurance Companies.

Mr. Litchfield,
Mr. Wooster,
Mr. Morris,
Mr. W. Baker,
Mr. Lee.

Committee on the Petitions of Aliens.

Mr. Salisbury,
Mr. Hedges,
Mr. Ringgold,
Mr. Roosevelt,
Mr. G. W. Patterson.

Committee on Canals and Internal Improvements.

Mr. Stilwell,
Mr. Wager,
Mr. M. L. Mills,
Mr. W. M. Patterson,
Mr. Dodge.

Committee on Roads and Bridges, and the Incorporation of Turnpike Companies.

Mr. Hammond,
Mr. Sawyer,
Mr. Edgerton,
Mr. Westlake,
Mr. Clark.

Committee on State Prisons, and the Penitentiary System.

Mr. Burwell,
Mr. Myers,
Mr. Lathrop,
Mr. Lockwood,
Mr. Parkhurst,

Committee on the Militia, and the Public Defence.

Mr. De Mott,
Mr. Lansing,
Mr. Murdock,
Mr. Tompkins,
Mr. Garrison.

Committee on Indian Affairs.

Mr. Farrington,
Mr. Burch,
Mr. Davis,
Mr. W. Mills,
Mr. P. Patterson,

Committee on the Manufacture of Salt.

Mr. Eastwood,
Mr. Kilborn,
Mr. Parsons,
Mr. Kinne,
Mr. E. W. Cleveland.

Committee on Medical Societies and Colleges.

Mr. Lee,
Mr. Carlisle,
Mr. Stevenson,
Mr. Buckingham,
Mr. Collins.

Committee on Two-third Bills.

Mr. Spencer,
Mr. Beardsley,
Mr. Keeler,
Mr. Jansen,
Mr. Mathews.

Committee on Public Lands.

Mr. Mabee,
Mr. Aikin,
Mr. E. Rogers,
Mr. Van Vranken,
Mr. Plumb.

Committee on Trade and Manufactures.

Mr. Myers,
Mr. Humeston,
Mr. Hyde,
Mr. Conklin,
Mr. Halbert.

Committee on Rail-Roads.

Mr. I. C. Baker,
Mr. Curtis,
Mr. Haskin,
Mr. Tillotson,
Mr. Stilwell.

Select Committees on the Governor's Message.

On so much as relates to Lotteries.

Mr. Herttell,
Mr. Lambert,
Mr. Haskin,
Mr. Ringgold,
Mr. Gray.

On so much as relates to Charles Carroll of Carrollton.

Mr. McKeon,
Mr. Tappen,
Mr. Hunter,
Mr. E. Stevens,
Mr. Robertson.

On so much as relates to Poor-Houses.

Mr. W. Baker,
Mr. Reynolds,
Mr. Kittle,
Mr. Ostrander,
Mr. S. W. Smith.

Joint Committees on the Governor's Message.

On the Communication from the Governor of South Carolina, and the recent Convention of that State. On the part of the Assembly.

Mr. Wooster,
Mr. Hedges,
Mr. Allen,
Mr. Livingston,
Mr. Stilwell,
Mr. Van Duzer,
Mr. Litchfield,
Mr. Varian,
Mr. Hyde,
Mr. Humeston.

On the part of the Senate.

Mr. Tallmadge,
Mr. Hubbard,
Mr. Birdsall,
Mr. Armstrong,
Mr. Edmonds.

Committee on the disputed Boundary Line between this State and New-Jersey. On the part of the Assembly.

Mr. Morris,
Mr. Bennet,
Mr. Montanya,
Mr. Downing,
Mr. Spencer.

On the part of the Senate.

Mr. Sudam,
Mr. Sherman,
Mr. Bronson.

No. 9.

MEMBERS AND OFFICERS

Of the Assembly of the State of New-York,

THEIR RESIDENCE IN THE CITY OF ALBANY, AND NEAREST POST-OFFICE TO THEIR PERMANENT RESIDENCE.

Hon. CHARLES L. LIVINGSTON, Speaker, New-York; Eagle Tavern.

Names of Members.	*County.*	*Nearest Post-Office.*	*Boarding-House.*
Akin, Daniel D.	Dutchess,	Quaker Hill,	Congress Hall.
Allen, William,	St. Lawrence,	Parishville,	Mansion House.
Anderson, Joseph H.	Westchester,	Sawpit,	National and Columbian.
Angel, William H.	Jefferson,	Cornelia,	Mansion House.
Baker, Ichabod C.	Oneida,	Whitestown,	American Hotel.
Baker, William,	Otsego,	Springfield,	Congress Hall.
Beardsley, John,	Cayuga,	Venice,	National and Columbian.
Bennet, Philo,	Otsego,	New-Berlin,	Fort-Orange Hotel.
Bishop, Thomas,	Tompkins,	South-Lansing,	Adelphi.
Boucher, Anthony,	Columbia,	Claverack,	Mansion House.
Brinkerhoff, George H.	Cayuga,	Owasco,	National and Columbian.
Brown, Joel,	Dutchess,	Amenia,	National and Columbian.

Buckingham, Levi,	Oneida,	Marshall,	American Hotel.
Burch, John,	Jefferson,	Adams,	American Hotel.
Burwell, Dudley,	Herkimer,	Little-Falls,	Mrs. Lockwood's.
Butrick, Sylvester,	St. Lawrence,	Hammond,	Mansion House.
Byington, Asahel,	Orleans,	Gaines,	Temperance House.
Carlisle, William,	Montgomery,	Charleston,	Franklin House.
Chandler, Abel,	Chenango,	Pitcher,	Mansion House.
Childs, Timothy,	Monroe,		
Clark, Horace,	Erie,	Sardinia,	Temperance House.
Cleaveland, Erastus,	Madison,	Madison,	Mansion House.
Cleveland, Ephraim W.	Ontario,	Naples Village,	Adelphi Hotel.
Collins, John B.	Allegany,	Alfred,	Fort-Orange Hotel.
Conklin, Henry,	Dutchess,	Poughkeepsie,	Congress Hall.
Cornell, Walter,	Washington,	Cambridge,	Adelphi Hotel.
Couch, Ebenezer,	Saratoga,	North-Galway,	Adelphi Hotel.
Craig, Gordon,	Ulster,	Marbletown,	Bement's Hotel.
Cromwell, Richard,	New-York,	New-York,	National and Columbian.
Curtis, James C.	Sullivan,	Cochecton,	National and Columbian.
Davis, John,	Madison,	Leonardsville,	Mansion House.
De Mott, John,	Seneca,	Lodi,	Congress Hall.
Dewey, John,	Oneida,	Boonville,	American Hotel.
Dodge, Reuben D.	Seneca,	Canoga,	National and Columbian.
Downing, Coe S.	Kings,	Brooklyn,	American Hotel.
Eastwood, Asa,	Onondaga,	Cicero,	Mansion House.
Edgerton, John,	Delaware,	Franklin,	Adelphi Hotel.
Farrington, Thomas,	Tioga,	Owego,	Mrs. Lockwood's.
Finch, James,	Orange,	Finchville,	33 Dean-street.
Fonda, Douw A.	Montgomery,	Caughnawaga,	Franklin House.

Fox, Chauncey J.	Cattaraugus,	Ellicottville,	Fort-Orange Hotel.
Garrison, John,	Putnam,	West-Point,	National and Columbian.
Goslee, Henry,	Greene,	Lexington Heights,	National and Columbian.
Gray, Nathaniel,	Chautauque,	Orrington,	Temperance House.
Halbert, Enos S.	Cortland,	Lincklaen,	Adelphi Hotel.
Hammond, Alonzo G.	Rensselaer,	Berlin,	City Hotel.
Haskin, William P.	Rensselaer,	Troy,	City Hotel.
Hedges, Jr. David,	Suffolk,	Easthampton,	American Hotel.
Herttell, Thomas,	New-York,	New-York,	55 Chapel-street.
Humeston, James,	Wayne,	Clyde,	National and Columbian.
Hunter, William,	Steuben,	Jasper,	Mansion House.
Hyde, Austin,	Chenango,	Oxford,	Congress Hall.
Ives, Jotham,	Jefferson,	Watertown,	Adelphi Hotel.
Jackson, Thomas B.	Queens,	Hempstead,	American Hotel.
Jansen, Joseph,	Ulster,	Brunswick,	Bement's Hotel.
Keeler, Ezra,	Orange,	Newburgh,	33 Dean-street.
Kernan, William,	Steuben,	Wayne Hotel,	Mansion House.
Kilborn, Jesse,	Madison,	Cazenovia,	Mansion House.
Kinne, Hiram,	Otsego,	Gilbertsville,	Fort Orange Hotel.
Kittle, John I.	Rensselaer,	Schodack Landing,	National and Columbian.
Lambert, George,	Dutchess,	Rhinebeck,	National and Columbian.
Lansing, Robert C.	Otsego,	Decatur,	Fort Orange Hotel.
Lasher, Bastian C.	Columbia,	Germantown,	Mansion House.
Lathrop, Simon,	Cayuga,	Victory,	A. P. Loucks's.
Lawyer, Jacob L.	Schoharie,	Cobleskill,	A. P. Loucks's.
Lee, Joshua,	Yates,	Penn-Yan,	Mansion House.
Litchfield, Elisha,	Onondaga,	Delphi,	Mansion House.
Livingston, Edward,	Albany,	Albany,	No. 55 North Pearl-st.

Lockwood, Horatio,	Westchester,	Poundridge,	National and Columbian.
Mathews, David,	Cortland,	Truxton,	Adelphi Hotel.
Mattice, Martinis,	Schoharie,	Middleburgh,	Bement's Hotel.
Mabee, Cornelius,	Montgomery,	Palatine,	Franklin House.
McKeon, John,	New-York,	New-York,	Congress Hall.
Mersereau, Jacob,	Richmond,	Cityville,	American Hotel.
Mills, Myron L.	Onondaga,	Marcellus,	Mansion House.
Mills, William,	Erie,	Newstead,	Temperance House.
Montanya, James D. L.	Rockland,	Haverstraw,	National and Columbian.
Morris, Robert H.	New-York,	New-York,	Mansion House.
Murdock, John,	Columbia,	New-Lebanon,	Mansion House.
Myers, Mordecai,	New-York,	New-York,	American Hotel.
Norton, Henry,	Niagara,	Lockport,	Temperance House.
Ostrander, Gideon,	New-York,	New-York,	American Hotel.
Parkhurst, Jabez,	Franklin,	Fort-Covington,	Temperance House.
Parsons, Seth,	Rensselaer,	Hoosick Falls,	City Hotel.
Patterson, George W.	Livingston,	Greigsville,	Temperance House.
Patterson, Peter,	Genesee,	Perry Centre,	Temperance House.
Patterson, William M.	Chenango,	Greene,	Mansion House.
Pierson, William,	Greene,	Cairo,	National and Columbian.
Plumb, Alvin,	Chautauque,	Jamestown,	City Hotel.
Pond, Levi,	Monroe,	Brockport,	Temperance House.
Prendergast, Joseph M.	Herkimer,	Winfield,	American Hotel.
Reynolds, George,	Saratoga,	Moreau,	Mansion House.
Ringgold, Benjamin,	New-York,	New-York,	Eagle Tavern.
Robertson, Rufus,	Genesee,	Le Roy,	Temperance House.
Rogers, Charles,	Washington,	Sandy-Hill,	Adelphi Hotel.
Rogers, Jr. Eli,	Lewis,	Houseville,	Mansion House.

Roosevelt, Jr. Nicholas,	Warren,	Johnsburgh,	Mansion House.
Russell, David,	Washington,	Salem,	Adelphi Hotel.
Salisbury, Ambrose,	Wayne,	Palmyra,	Adelphi Hotel.
Sawyer, John W.	Cayuga,	Port Byron,	Albany Coffee House.
Settle, Jacob,	Albany,	Bern,	Bement's Hotel.
Shear, Israel,	Albany,	Hocatuc Hollow,	Bement's Hotel.
Sheldon, Milton,	Monroe,	Mendon,	Temperance House.
Skinner, Avery,	Oswego,	Union Square,	American Hotel.
Smith, Almerin,	Essex,		Adelphi Hotel.
Smith Samuel W.	Livingston,	Dansville,	City Hotel.
Spencer, John C.	Ontario,	Canandaigua,	Bement's Hotel.
Stevens, Ephraim,	Saratoga,	Halfmoon,	Adelphi Hotel.
Stevens, Stoddard,	Delaware,	Harpersfield,	Adelphi Hotel.
Stevenson, Miles,	Clinton,	Chazy,	City Hotel.
Stilwell, Silas M.	New-York,	New-York,	Congress Hall.
Swartwood, Daniel B.	Tompkins,	Newfield,	Adelphi Hotel.
Tappen, Gabriel,	Onondaga,	Baldwinsville,	Mansion House.
Tillotson, Ira,	Tompkins,	Ithaca,	Adelphi Hotel.
Tompkins, Minthorne,	New-York,	New-York,	Eagle Tavern.
Utley, Squire,	Oneida,	Western,	American Hotel.
Van Duzer, Isaac R.	Orange,	Goshen,	National and Columbian.
Van Vranken, Cornelius C.	Schenectady,	Watervliet Centre,	A. P. Loucks's.
Varian, Isaac L.	New-York,	New-York,	American Hotel.
Wager, David,	Oneida,	Utica,	American Hotel.
Watson, Israel H.	Westchester,	Westchester,	National and Columbian.
Westlake, Jacob,	Tioga,	Horseheads,	Mansion House.
Whitney, Vincent,	Broome,	Binghamton,	Bement's Hotel.
Wicks, William,	Suffolk,	Huntington,	American Hotel.

Woods, James H.....	Ontario, ...	Geneva, ...	Mrs. Lockwood's.
Woodworth, Charles,.....	Genesee, ...	Elba, ...	No. 33 Dean-street.
Wooster, Sherman, ...	Herkimer,.....	Newport, ...	American Hotel.

FRANCIS SEGER, Clerk, Congress-Hall.

DANIEL GOULD, Deputy Clerk, Adelphi.	CORNELIUS A. WALDRON, Sergeant-at-Arms, Washington-st.
WILLIAM L. GOODRICH, do. Mansion-House.	ALONZO CROSBY, Door-keeper, 57 Maiden-lane.
LYMAN R. LYON, do. Adelphi.	JAMES COURTER, do. American Hotel.

No. 11.

IN ASSEMBLY,

January 7, 1833.

STATE OF NEW-YORK, }
In Assembly, Jan. 7, 1833. }

Resolved, That the clerk of this House be directed to procure from the office of the Secretary of State, a copy of the proceedings of the Convention of this State, when assembled at Poughkeepsie, on the 26th day of July, 1788, for the purpose of adopting the Constitution of the United States, relative to their construction of the said Constitution, together with the several amendments proposed in the said Convention, and cause double the usual number of copies thereof to be printed for the use of the Legislature.

By order,

FR. SEGER, Clerk.

Proceedings of the Convention of this State, when assembled at Poughkeepsie, on the 26th day of July, 1788, for the purpose of adopting the Constitution of the United States, relative to their construction of the said Constitution, &c.

WE, the Delegates of the People of the State of New-York, duly elected and met in Convention, having maturely considered the Constitution for the United States of America, agreed to on the seventeenth day of September, in the year one thousand seven hundred and eighty-seven, by the Convention then assembled at Philadelphia, in the Commonwealth of Pennsylvania, (a copy whereof precedes these Presents,) and having also seriously and deliberately considered the present situation of the United States, Do declare and make known,

That all power is originally vested in, and consequently derived from, the People; and that government is instituted by them for their common interest, protection and security.

That the enjoyment of life, liberty and the pursuit of happiness, are essential rights, which every government ought to respect and preserve.

That the powers of Government may be reassumed by the People whensoever it shall become necessary to their happiness; that every power, jurisdiction and right, which is not by the said Constitution clearly delegated to the Congress of the United States, or the Departments of the Government thereof, remains to the People of the several States, or to their respective State Governments, to whom they may have granted the same; and that those clauses in the said Constitution, which declare that Congress shall not have or exercise certain powers, do not imply that Congress is entitled to any powers not given by the said Constitution; but such clauses are to be construed either as exceptions to certain specified powers, or as inserted merely for greater caution.

That the People have an equal, natural and unalienable right, freely and peaceably to exercise their religion, according to the dictates of conscience; and that no religious sect or society ought to be favored or established by law, in preference of others.

That the People have a right to keep and bear arms. That a well regulated militia, including the body of the people *capable of bearing arms*, is the proper, natural and safe defence of a free State.

That the militia should not be subject to Martial Law, except in time of war, rebellion or insurrection.

That standing armies in time of peace, are dangerous to liberty, and ought not to be kept up, except in cases of necessity; and that at all times, the military should be under strict subordination to the civil power.

That in time of peace, no soldier ought to be quartered in any house, without the consent of the owner; and in time of war, only by the civil magistrate, in such manner as the laws may direct.

That no person ought to be taken, imprisoned or disseised of his freehold, or be exiled or deprived of his privileges, franchises, life, liberty or property, but by due proces of law.

That no person ought to be put twice in jeopardy of life or limb, for one and the same offence; nor, unless in case of impeachment, be punished more than once for the same offence.

That every person restrained of his liberty, is entitled to an inquiry into the lawfulness of such restraint, and to a removal thereof if unlawful; and that such inquiry and removal ought not to be denied or delayed, except when on account of public danger, the Congress shall suspend the privilege of the writ of Habeas Corpus.

That excessive bail ought not to be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted.

That (except in the government of the land and naval forces, and of the militia when in actual service, and in cases of impeachment,) a presentment or indictment by a grand jury ought to be observed as a necessary preliminary to the trial of all crimes, cognizable by the judiciary of the United States, and such trial should be speedy, public, and by an impartial jury of the county where the crime was committed; and that no person can be found guilty, without the unanimous consent of such jury. But in cases of crimes not committed within any county of any of the United States, and in cases of crimes committed within any county in which a general insurrection may prevail, or which may be in the possession of a foreign enemy, the inquiry and trial may be in such county as the Congress shall by law direct; which county, in the two cases last mentioned, should be as near as conveniently may be, to that county in which the crime may have been committed. And that in all criminal prosecutions, the accused ought to be informed of the cause and nature of his accusation, to be confronted with his accusers and the witnesses against him, to have the means of producing his witnesses, and the assistance of council for his defence, and should not be compelled to give evidence against himself.

That the trial by jury, in the extent that it obtains by the common law of England, is one of the greatest securities to the rights of a free people, and ought to remain inviolate.

That every freeman has a right to be secure from all unreasonable searches and seizures of his person, his papers, or his property; and therefore that all warrants to search suspected places, or seize any freeman, his papers or property, without information upon oath or affirmation of sufficient cause, are grievous and oppressive; and that all general warrants, (or such in which the place or person suspected are not particularly designated,) are dangerous, and ought not to be granted.

That the people have a right peaceably to assemble together, to consult for their common good, or to instruct their Representatives, and that every person has a right to petition or apply to the Legislature for redress of grievances.

That the freedom of the press ought not to be violated or restrained.

That there should be once in four years, an election of the President and Vice-President, so that no officer who may be appointed by the Congress to act as President, in case of the removal, death, resignation, or inability of the President and Vice-President, can in any case, continue to act beyond the termination of the period for which the last President and Vice-President were elected.

That nothing contained in the said Constitution is to be construed to prevent the Legislature of any State from passing laws at its discretion, from time to time, to divide such State into convenient districts, and to apportion its Representatives to and amongst such districts.

That the prohibition contained in the said Constitution against *ex post facto* laws, extends only to laws concerning crimes.

That all appeals in causes determinable according to the course of the common law, ought to be by writ of error, and not otherwise.

That the judicial power of the United States, in cases in which a State may be a party, does not extend to criminal prosecutions, or to authorise any suit by any person against a State.

That the judicial power of the United States, as to controversies between citizens of the same State, claiming lands under grants of different States, is not to be construed to extend to any other con-

troversies between them, except those which relate to such lands so claimed under grants of different States.

That the jurisdiction of the Supreme Court of the United States, or of any other Court to be instituted by the Congress, is not in any case to be increased, enlarged or extended, by any fiction, collusion or mere suggestion. And,

That no Treaty is to be construed so to operate as to alter the Constitution of any State.

Under these impressions, and declaring that the rights aforesaid cannot be abridged or violated, and that the explanations aforesaid are consistent with the said Constitution, and in confidence that the amendments which shall have been proposed to the said Constitution will receive an early and mature consideration; we, the said delegates, in the name and in the behalf of the People of the State of New-York, DO, by these Presents, assent to and ratify the said Constitution. In full confidence, nevertheless, that until a Convention shall be called and convened, for proposing amendments to the said Constitution, the militia of this State will not be continued in service out of this State, for a longer term than six weeks, without the consent of the Legislature thereof; that the Congress will not make or alter any regulation in this State, respecting the times, places and manner of holding elections for Senators or Representatives, unless the Legislature of this State shall neglect or refuse to make laws or regulations for the purpose, or from any circumstance be incapable of making the same, and that in those cases, such power will only be exercised, until the Legislature of this State shall make provision in the premises; that no excise will be imposed on any article of the growth, production or manufacture of the United States, or any of them, within this State, ardent spirits excepted; and that the Congress will not lay direct taxes within this State, but when the monies arising from the impost and excise shall be insufficient for the public exigencies, nor then, until Congress shall first have made a requisition upon this State to assess, levy and pay the amount of such requisition, made agreeably to the census fixed in the said Constitution, in such way and manner as the Legislature of this State shall judge best, but that in such case, if the State shall neglect or refuse to pay its proportion pursuant to such requisition, then the Congress may assess and levy this State's proportion, together with interest at the rate

of six per centum per annum, from the time at which the same was required to be paid.

Done in Convention at Poughkeepsie, in the county of Dutchess, in the State of New-York, the twenty-sixth day of July, in the year of our Lord one thousand seven hundred and eighty-eight.

By order of the Convention,

GEO. CLINTON, President.

Attested,

JOHN MCKESSON, } Secretaries.
ABM. B. BANCKER, }

Proposed Amendments to the Constitution, by the Convention.

AND the Convention do, in the name and behalf of the People of the State of New-York, enjoin it upon their Representatives in the Congress, to exert all their influence, and use all reasonable means to obtain a ratification of the following amendments to the said Constitution, in the manner prescribed therein; and in all laws to be passed by the Congress in the mean time, to conform to the spirit of the said amendments, as far as the Constitution will admit.

That there shall be one Representative for every thirty thousand inhabitants, according to the enumeration or census mentioned in the Constitution, until the whole number of Representatives amounts to two hundred; after which that number shall be continued or increased, but not diminished, as Congress shall direct, and according to such ratio as the Congress shall fix, in conformity to the rule prescribed for the apportionment of Representatives and direct taxes.

That the Congress do not impose any excise on any article (except ardent spirits,) of the growth, production, or manufacture of the United States, or any of them.

That Congress do not lay direct taxes, but when the monies arising from the impost and excise shall be insufficient for the public exigencies; nor then, until Congress shall first have made a requisition upon the States to assess, levy and pay their respective proportions of such requisition, agreeably to the census fixed in the said Constitution, in such way and manner as the Legislatures of the respective States shall judge best; and in such case, if any State shall neglect or refuse to pay its proportion pursuant to such requisition, then Congress may assess and levy such States' proportion, together with interest at the rate of six per centum per annum, from the time of payment prescribed in such requisition.

That the Congress shall not make or alter any regulation in any State, respecting the times, places and manner of holding elections

for Senators or Representatives, unless the Legislature of such State shall neglect or refuse to make laws or regulations for the purpose, or from any circumstance be incapable of making the same; and then only until the Legislature of such State shall make provision in the premises: Provided that the Congress may prescribe the time for the election of Representatives.

That no persons except natural born citizens, or such as were citizens on or before the fourth day of July, one thousand seven hundred and seventy-six, or such as held commissions under the United States during the war, and have at any time since the fourth day of July, one thousand seven hundred and seventy-six, become citizens of one or other of the United States, and who shall be freeholders, shall be eligible to the places of President, Vice-President, or Members of either House of the Congress of the United States.

That the Congress do not grant monopolies, or erect any company with exclusive advantages of commerce.

That no standing army or regular troops shall be raised or kept up in time of peace, without the consent of two-thirds of the Senators and Representatives present in each House.

That no money be borrowed on the credit of the United States, without the assent of two-thirds of the Senators and Representatives present in each House.

That the Congress shall not declare war without the concurrence of two-thirds of the Senators and Representatives present in each House.

That the privilege of the Habeas Corpus shall not, by any law, be suspended for a longer term than six months, or until twenty days after the meeting of the Congress next following the passing of the act for such suspension.

That the right of the Congress to exercise exclusive legislation over such district not exceeding ten miles square, as may by cession of a particular State, and the acceptance of Congress, become the seat of the Government of the United States, shall not be so exercised as to exempt the inhabitants of such district from paying the like taxes, imposts, duties and excises as shall be imposed on the other inhabitants of the State in which such district may be; and

that no person shall be privileged within the said district from arrest for crimes committed or debts contracted out of the said district.

That the rights of exclusive legislation with respect to such places as may be purchased for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings, shall not authorize the Congress to make any law to prevent the laws of the States respectively in which they may be, from extending to such places, in all civil and criminal matters, except as to such persons as shall be in the service of the United States; nor to them with respect to crimes committed without such places.

That the compensation for the Senators and Representatives be ascertained by standing laws; and that no alteration of the existing rate of compensation shall operate for the benefit of the Representatives until after a subsequent election shall have been had.

That the Journals of the Congress shall be published at least once a year, with the exception of such parts relating to treaties or military operations as in the judgment of either House, shall require secresy; and that both Houses of Congress shall always keep their doors open during their sessions, unless the business may, in their opinion require secresy.

That the yeas and nays shall be entered on the Journals, whenever two Members in either House may require it.

That no capitation tax shall ever be laid by the Congress.

That no person be eligible as a Senator for more than six years, in any term of twelve years; and that the Legislatures of the respective States may recall their Senators, or either of them, and elect others in their stead to serve the remainder of the time for which the Senators so recalled were appointed.

That no Senator or Representative shall, during the time for which he was elected, be appointed to any office under the authority of the United States.

That the authority given to the Executives of the States, to fill the vacancies of Senators, be abolished, and that such vacancies be filled by the respective Legislatures.

That the power of Congress to pass uniform laws concerning bankruptcy, shall only extend to merchants and other traders; and that the States respectively may pass laws * of other insolvent debtors.

That no person shall be eligible to the office of President of the United States a third time.

That the Executive shall not grant pardons for treason, unless with the consent of the Congress, but may, at his discretion, grant reprieves to persons convicted of treason, until their cases can be laid before the Congress.

That the President, or person exercising his powers for the time being, shall not command an army in the field in person, without the previous desire of the Congress.

That all letters patent, commissions, pardons, writs and process of the United States, shall run in the name of *the People of the United States*, and be tested in the name of the President of the United States, or the person exercising his powers for the time being, or the first Judge of the Court out of which the same shall issue, as the case may be.

That the Congress shall not constitute, ordain or establish any tribunals or inferior courts, with any other than appellate jurisdiction, except such as may be necessary for the trial of causes of admiralty and maritime jurisdiction, and for the trial of piracies and felonies committed on the high seas; and in all other cases to which the judicial power of the United States extends, and in which the Supreme Court of the United States has not original jurisdiction, the causes shall be heard, tried and determined in some one of the State Courts, with the right of appeal to the Supreme Court of the United States, or other proper tribunal to be established for that purpose by the Congress, with such exceptions and under such regulations as the Congress shall make.

That the Court for the trial of impeachments shall consist of the Senate, the Judges of the Supreme Court of the United States, and the first or senior Judge, for the time being, of the highest court of general and ordinary common law jurisdiction in each State: that the Congress shall, by standing laws, designate the Courts in the

* Manuscript defaced.—Pr.

respective Courts answering this description, and in States having no Courts exactly answering this description, shall designate some other Court, preferring such, if any there be, whose Judge or Judges may hold their places during good behavior: provided, that no more than one Judge, other than Judges of the Supreme Court of the United States, shall come from one State: That the Congress be authorized to pass laws for compensating the said Judges for such services, and for compelling their attendance: And that a majority, at least, of the said Judges shall be requisite to constitute the said Court: That no person impeached shall sit as a member thereof: That each member shall, previous to the entering upon any trial, take an oath or affirmation honestly and impartially to hear and determine the cause, and that a majority of the members present shall be necessary to a conviction.

That persons aggrieved by any judgment, sentence or decree of the Supreme Court of the United States, in any cause in which that Court has original jurisdiction, with such exceptions and under such regulations as the Congress shall make concerning the same, shall, upon application, have a commission, to be issued by the President of the United States, to such men learned in the law, as he shall nominate, and by and with the advice and consent of the Senate appoint, not less than seven, authorising such commissioners, or any seven or more of them, to correct the errors in such judgment, or to review such sentence and decree, as the case may be, and to do justice to the parties in the premises.

That no Judge of the Supreme Court of the United States shall hold any other office under the United States or any of them.

That the judicial power of the United States shall extend to no controversies respecting land, unless it relate to claims of territory or jurisdiction between States, or to claims of land between individuals, or between States and individuals, under the grants of different States.

That the militia of any State shall not be compelled to serve without the limits of the State, for a longer term than six weeks, without the consent of the Legislature thereof.

That the words "without the consent of the Congress," in the seventh clause of the ninth section of the first article of the Constitution, be expunged.

That the Senators and Representatives and all Executive and Judicial Officers of the United States, shall be bound by oath or affirmation, not to infringe or violate the Constitutions or rights of the respective States.

That the Legislatures of the respective States, may make provision by law, that the electors of the election districts to be by them appointed, shall choose a citizen of the United States, who shall have been an inhabitant of such district for the term of one year immediately preceding the time of his election, for one of the Representatives of such State.

Done in Convention at Poughkeepsie, in the county of Dutchess, in the State of New-York, the twenty-sixth day of July, in the year of our Lord one thousand seven hundred and eighty-eight.

By order of the Convention,

GEO. CLINTON, President.

Attested,

JOHN MCKESSON, } Secretaries.
ABM. B. BANCKER, }

No. 13.

IN ASSEMBLY,

January 8, 1833.

REPORT

Of the Attorney-General in relation to Lotteries.

Albany, January 7, 1833.

To the Speaker of the Assembly.

SIR,

In pursuance of a resolution of the Assembly, I transmit herewith a report in relation to lotteries.

I am, very respectfully,

Your obedient servant,

GREENE C. BRONSON.

REPORT, &c.

"STATE OF NEW-YORK, }
"*In Assembly, April* 26, 1832. }

"*Resolved*, That the committee on the judiciary, to whom was referred the report of the Attorney-General, and the petition of Palmer Canfield, on the subject of lotteries, be discharged from the consideration thereof; and that the same be referred to the Attorney-General, to report his opinion to the next Legislature of the constitutionality of the act, entitled "Act to enable the mayor, aldermen and commonalty of the city of Albany to dispose of tickets in a lottery heretofore granted, and to limit the continuance of the same," passed April 13, 1826.

"By order,

FR. SEGER."

The Attorney-General, in obedience to the foregoing resolution of the Assembly, respectfully submits the following

REPORT:

The report made by the Attorney-General on the subject of lotteries, at the last session of the Legislature, (Assembly Documents, 1832, No. 292,) will supersede the necessity of again reciting the laws bearing on the question, or spreading out the facts of the case on this report. A brief statement of each, in connection with this reference, it is presumed will be satisfactory. With a single exception, which will hereafter be noticed, the opinion now to be expressed will be based upon the assumption, that the facts are correctly detailed, and the several laws justly interpreted in the former report.

At the time the constitution was adopted, all the money lotteries were under the direction of managers appointed by the State; and the continuance of the system had no other limit, than the time which might be employed in paying the several sums of money which had been granted to be raised in that manner. The laws which have subsequently been passed, have transferred the management of

the lotteries to the institutions having an interest in their success; and have limited the continuance of the system to a period which will expire on the 21st April, 1834. The literature and Albany land lotteries will cease at that time, by express limitation; and the fever hospital and historical society lotteries will terminate at the same period, for the reason that those grants will have been fully satisfied.

The provision of the constitution affecting this question, is in the following words—"No lottery shall hereafter be authorised in this State; and the Legislature shall pass laws to prevent the sale of all lottery tickets within this State, except in lotteries already provided for by law." Const. Art. VII. Sec. XI. This section took effect March 1, 1822. Const. Art. IX. Sec. I.

The following general remarks are believed to be well founded.

First.—The convention which framed, and the people who adopted the constitution, regarded lotteries as a public evil; which they intended should cease, as soon as the then existing lottery grants had been satisfied.

Second.—In relation to lotteries which had previously been authorised, the prohibitory part of this section is silent. It neither annulled those grants, nor did it inhibit legislation concerning them. The manner in which those lotteries should be conducted, and the time within which they should be drawn and closed, were left as fully in the power of the Legislature as though the section in question had not been adopted.

Third.—Although the power of the Legislature over existing lotteries remained untouched, it does not follow that all laws professing to regulate those lotteries would be valid. A law which, under the form of providing for an old grant, should in fact amount to a new one, would be wholly indefensible. If, for example, a lottery had been granted for the term of five years, a valid act could not be passed to authorise its continuance for ten years. Or, if the continuance of a lottery had been limited by the amount of money which might be raised, or the nominal amount of tickets which might be sold; an unqualified repeal of those limitations would be unauthorised. Such laws, although they would not be so in form, would, within the spirit and intent of the Constitution, be acts authorising new lotteries, and consequently void.

Fourth.—As all of the laws on this subject, passed since the adoption of the Constitution, purport to regulate previously existing lotteries, without professing to make new grants, they are not subject to any constitutional objection; unless upon a careful review of their provisions it shall plainly appear, that under color of providing for existing lotteries, they have in fact authorised an extension of the system.

Fifth.—The validity of any law which has been passed on this subject must depend, not so much upon the practical results which have followed, as upon the existing state of things at the time the law was made. In other words, although the practical operation of a law may have been to prolong the evil, and increase the amount of lottery transactions; it would still be valid, unless at the time of its enactment it was plainly calculated to produce those consequences. The exercise of the undoubted power of the Legislature to appoint the managers and other agents of the State for conducting the lotteries—to change the schemes, and adopt entire new plans of constructing and drawing the lotteries, however well intended, might result in a great increase of lottery operations, and protract the winding up of the system for years. Yet such consequences would not invalidate laws which, at the time of their enactment, were apparently free from objection.

Sixth.—As the Legislature had a general discretionary power over existing lotteries, an act relating to them would not be void, because it might *possibly* increase the amount of lottery transactions: nor would the *probability* of such a consequence make the law invalid, unless that probability was so strong as to furnish direct and palpable evidence of an intent to pass the constitutional limit. A different rule would deny to the Legislature the exercise of that discretion which the Constitution has confided to their hands. The policy or impolicy of a particular law, and the probable consequences of adopting it, must, to a great degree, depend upon judgment and opinion: and is a matter about which different individuals may arrive at very different conclusions. And if the validity of such a law depended on the opinion of the judge concerning the wisdom or imprudence of the Legislature in passing it; he would not only be re-judging their judgment in a case where the discretion was vested in the Legislature and not the courts: but the same law might be held valid in one, and void in another forum, according to the opinions which different judges might happen to entertain concern-

ing the prudence and forecast of the Legislature in making the enactment. It is therefore not enough in a case like the one under consideration, that we may be able to pronounce the law unwise and impolitic; but before it can be declared void, it must also appear that the law was plainly calculated to pass the constitutional limit, by granting a new lottery.

Seventh.—The Legislature was at liberty either to retain the management of the lotteries until all the grants should be satisfied; and be consequently subject to all the delays and losses which might result from the want of skill, diligence or fidelity on the part of the managers and other public agents: or to transfer the management of the lotteries to those who were interested in the grants and limit their continuance. And in contracting for such a transfer, the State might give a just and reasonable equivalent in exchange for the hazards which would thus be avoided. What would amount to such just and reasonable equivalent, was a matter of judgment and opinion; concerning which the discretion of the Legislature cannot be judicially reviewed, unless they have gone so far as to furnish palpable evidence of a new lottery grant.

These remarks, if well founded, will furnish valuable aids in the more particular examination which yet remains, of the validity of the laws which have been passed since the Constitution was adopted.

The Albany land lottery was authorised by an act passed April 14, 1820. By a proviso to the first section of the act, the sale of tickets in this lottery was restricted to the county of Albany. By the seventh section of an act passed March 15, 1822, (after the constitutional prohibition against lotteries had taken effect,) this proviso was repealed. By the act of April 13, 1826, the land prizes in this, were authorised to be mixed with the money prizes in the other lotteries.

The effect of repealing the proviso to the first section of the act of 1820, was to diffuse the evil of the land lottery over the whole State, instead of confining it to the county of Albany. It is not, however, perceived that this consideration alone can make the repeal an unconstitutional act. It did not authorise a new lottery.

A more important question is presented by considering the joint influence or effect of this repealing act, and the act authorising the mixing of land with money prizes. Previous to the passing of these

two laws, the Albany lottery had remained dormant for six years, although efforts had been made to set it in motion. If this fact furnishes unanswerable evidence, that a land lottery amounting to $250,000, with the sale of tickets confined to a single county, was altogether an impracticable grant; then the subsequent laws which imparted to it a vital principle and set it in motion, cannot be maintained. Although not such in form, they were in legal effect laws authorising a new lottery. It is unimportant that the two acts in question were passed at different periods: for that which the Legislature is prohibited from granting or authorising by one act, cannot be yielded by any course of legislation.

Whether the original grant to the city of Albany was totally worthless or not, is a question which cannot be settled with perfect certainty. The evidence that it was a useless grant so long as the money lotteries continued, is nearly conclusive. But when the other lotteries had ceased to offer golden prospects to adventurers, it is not impossible that the tickets in a land lottery amounting to $250,000, might have been sold in a single county. And the Attorney-General, without further evidence, does not feel warranted in pronouncing against the validity of the laws in question, on the ground that the original grant to the city of Albany was totally worthless.

The act to limit the continuance of lotteries, passed April 5th, 1822, was of the most unexceptionable character. Under this act, the management of the literature lotteries was transferred from the State to the institutions having an interest in the grants, upon terms, the reasonableness of which cannot be questioned. The Comptroller was directed, in view of the progress which had previously been made in raising money by lotteries, to certify what period was necessary to raise and pay the balance remaining due to the institutions. This period the Comptroller fixed at eleven years; which, according to the act, was the utmost limit for continuing the literature lotteries. But lest the institutions should proceed more rapidly with the lotteries than the State had previously done, the right of the institutions to continue them was further limited by an annual average amount of tickets which might be sold and drawn during the eleven years. By the compact of which this act formed the basis, the State was relieved from all the hazard and responsibility of continuing the lotteries by means of its own agents; and the institutions gained nothing beyond what

they might be able to save, by greater skill and economy in the management of the lotteries, and the prospect of having the grants satisfied at an earlier day than could otherwise be anticipated.

It is proper, in this place, to correct an error referred to in the commencement of this report. By the 5th section of the act of April 5th, 1822, the Comptroller was directed to ascertain and certify what had been the "annual average amount of tickets according to their scheme price, in the lotteries already drawn within this State, during the five years immediately preceding the first day of January, 1822;" and that annual average was to limit the extent to which the institutions might sell and draw tickets. The Deputy Comptroller, in a certificate made in pursuance of this section, had fixed this annual average, in relation to the New-York lotteries, at $335,000. But he had further certified that the Milford and Owego, a foreign lottery, should, on the ground of its having been drawn in New York, be taken into the account. This suggestion was followed in the former report, without that examination which it would have received had it been material to the question then under consideration. See former Report, p. 16. As this matter may have an important bearing in the further examination of this subject, it is proper that the question of the Milford and Owego lottery should be more carefully considered.

Upon a review of the question, the Attorney-General is decidedly of opinion that this lottery ought not to be regarded in determining the amount of tickets which the institutions were authorised to sell and draw under the act of 1822. The whole act evidently relates to the lotteries which had been authorised by this State; and although the Milford and Owego lottery had been drawn in New-York, it was instituted by, and for the particular benefit of another State. It may possibly come within the letter of the fifth section—"drawn within this State;" but even that may be questioned. The preceding sections speak of the New-York lotteries, and the progress that had been made in drawing them; and then the fifth section provides that the average amount of tickets in lotteries "hereafter to be drawn under this act," shall not exceed the average amount of tickets "in the lotteries *already* drawn within this State." Taking the whole together, all idea of an intention to include a foreign lottery is plainly excluded. It may also be remarked, that the amount of tickets which had been drawn within the preceding five years, was to be ascertained and certified by the

Comptroller. This duty was, no doubt, imposed upon that public officer, because he had approved of the schemes in those lotteries, and the accounts concerning them had been kept in his office. But he could not officially know what had been done by other States, nor would he be required to certify concerning such a matter. And in this case, when the Deputy Comptroller made the certificate in question about the Milford and Owego lottery, he was obliged to add that "the amount of which said lottery is not found in any documents in this office." If there could otherwise be a doubt about the intention of the Legislature in passing this section, it must be removed on reading the recital by which it is preceded; which expressly declares that "the object of this act is not to increase the grants made to the said institutions." Yet that very consequence would be produced by a construction which should include the Milford and Owego lottery. It is a familiar rule, and one of undoubted authority, that such construction ought to be put upon a statute as may best answer the intention which the makers had in view; and that a thing which is within the letter of a statute, is not within the statute, unless it be within the intention of the makers.

The $54,000, which in the former report was added to the annual average amount of tickets which the institutions were authorised to sell and draw, must consequently be rejected. And the state of the lotteries at the time the act of April 13th, 1826, was passed, may then be briefly stated as follows:—The literature lotteries could in no event be extended beyond a period of eleven years, which would expire on the 21st April, 1824. During that period, the institutions might annually sell and draw tickets to the amount of $335,800; amounting, in the eleven years, to $3,693,800. When that amount of tickets had been sold and drawn, those lotteries were to cease, whether the eleven years had elapsed or not.

The Fever Hospital Lottery was not to be drawn until the literature lotteries were closed: and in proportion to the amount, was subject to the like limitations and restrictions. The amount of this grant as stated in the former report was $90,802. In addition to this, the Historical Society grant was $12,000, making together the sum of $102,802. The sum due the literary institutions was $322,256.81, to raise which they were authorised to sell and draw tickets to the sum of $3,693,800. Upon this data it will be

found that to raise the Historical Society and Fever Hospital grants, would authorise the sale of tickets to about the sum of $1,175,000. The Albany Lottery was the only one that remained, and the whole amount of tickets authorised to be sold and drawn by that grant was $250,000.

The whole amount of tickets at scheme price in all the lotteries authorised by law to be sold and drawn at the time the eleven years commenced running, may be brought into one view as follows:

Literature Lotteries,.....	$3,693,800
Fever Hospital and Historical Society lotteries,..	1,175,000
Albany land lottery,.....	250,000
Total,.....	$5,118,800

At the time the act of 1826 was passed, nearly three years had elapsed since the eleven years had commenced running; and during that time, as appears by two certificates filed by the Managers in the Secretary's Office, tickets at scheme price had been sold and drawn to the amount of $2,372,535.88. Deducting this sum (rejecting fractions) from the total above stated for all the lotteries, will shew that the whole amount of tickets which might still be sold and drawn was $2,746,265.

Such was the state of the lotteries when the act of April 13, 1826 was passed. That act authorised the mixing of the land prizes in the Albany, with the money prizes in the other lotteries; limited the continuance of the land lottery (which had not before been fixed,) to the close of the eleven years; and authorised the Managers to continue the lotteries to the end of the eleven years, without any reference to the amount of tickets which might be sold and drawn. At that period the literature and Albany lotteries were to cease at all events: but the Fever Hospital and Historical Society lotteries might be continued longer, if not previously satisfied. Such, in substance, was the construction given to the act of 1826, in the former report: and this construction is more favorable to the constitutional validity of the act, than the interpretation which it has received from those interested in the lotteries.

The progress which had been made in the lotteries for the preceding three years, was equal to an annual average amount of tickets sold and drawn of $790,845. The whole amount remaining to be sold and drawn when the act of 1826 was passed, as mentioned above, was $2,746,265. This, at the same rate of progress which had been made in the preceding three years, would require the continuance of the lotteries a little less than three years and a half. The act of 1826 authorised the unrestricted continuance of the lotteries for eight years. This brings the constitutional question as nearly to a point as the nature of the case will permit.

This act made it a matter of direct interest with the institutions to proceed as rapidly as possible with lottery operations. And if at the time the act was passed, it had been certain that the Managers could proceed in future at the same rate that they had in the three previous years, it would then be apparent that the act of 1826 gave to the institutions the privilege of continuing the system for four years and a half after all lottery grants had been satisfied.—The annual average of tickets sold and drawn for the three previous years as has already been mentioned, was $790,845. This in the four years and a half of gratuitous lottery operations, would amount to the sum of $3,558,802.50. Fifteen per centum (the usual deduction) upon this amount of tickets sold and drawn would amount to more than half a million of dollars.

The whole fifteen per centum is not however clear profits. Losses and the expenses of management are first to be paid out of this deduction. By recurring to the certificates of the Comptroller and Deputy Comptroller, which were based upon the progress and success of lotteries for the period of five years previous to the year 1822: and on comparing the amount of tickets authorised to be sold and drawn on account of the literature lotteries with the amount due to the institutions, it will be found that the net profits of lotteries were estimated at about eight and three-fourths per centum upon the whole amount of tickets. Applying this rate to the amount of tickets which might be sold and drawn within the four and a half years as above stated, will give as the net profits upon lottery operations after all the grants had been satisfied, the sum of $311,395.21.

It should however be kept in mind that the results which have been mentioned, depend upon the certainty that the Managers would be able to proceed with the lotteries at the same rate after

the passing of the act of 1826, that they had done during the three preceding years: a fact which, from the nature of the case, could not have been known when that act was passed. It was at that time a matter resting in contingency, and about which very different opinions may have been entertained.

Aside from the consequences which might result from mixing land with money prizes, which will hereafter be considered, the judgment of the Attorney-General upon this question of probability would be, that the annual amount of lottery operations would be increased rather than diminished by the act of 1826. That act removed all restrictions upon the amount of sales, and made it the direct interest of the proprietors of lotteries, to push the system to its utmost practicable limit. The State was increasing in wealth, population and enterprise; and nothing had occurred to induce a doubt that this branch of business in common with others, might be carried far beyond what had already been accomplished. Like other pursuits, it was liable to be affected by fluctuations of the money market, and the calamities which might befall the country. But such considerations are too remote and contingent to be entitled to much weight in looking for the probable results of a business which was to be continued for the term of eight years.

It may be said that this, more than other employments, was subject to the influence of public opinion; and that public sentiment might become so strong against the moral tendency of the system as materially to affect the sale of tickets. Such a state of things was no doubt possible; but it would be going very far to say that this consideration influenced the Legislature in extending advantages to the proprietors of the lotteries. A growing public sentiment against the evils of the system, would have suggested measures for diminishing, rather than increasing the amount and continuance of lottery operations.

Still it must be admitted that this was one of those dubious questions where the event might be widely at variance with the previous anticipation. Indeed, such has been the result in relation to this very subject; for the sale of tickets since the act of 1826, has not only equalled, but has greatly exceeded the average of the preceding three years: an event which we cannot presume was foreseen by the Legislature, without imputing to the members a deli-

berate intention to violate the constitution, and trifle alike with the public interests and their official obligations.

Returning again to the question of probability, it is an obvious remark, that the proprietors of the lotteries might suffer losses in conducting them: and although the sales might exceed the estimated amount of tickets for satisfying the grants, yet nothing beyond the proper sum might be ultimately realized. But it should be noticed, that the equitable arrangement made under the act of 1822, provided for losses as well as expenses of management, so far as the prospect of future losses could be settled by the knowledge of what had happened during a previous period of five years of lottery transactions. It has already been mentioned, that while the deduction from prizes was fifteen per centum, the estimate for nett profits was only eight and three-fourths per centum; leaving six and one-fourth per centum for losses and expenses of management. The compensation to managers while the State retained the direction of the lotteries, was fifteen per centum upon the amount raised by lotteries; which could never exceed two and one fourth per centum upon the amount of tickets sold. It follows, therefore, that the arrangement made under the act of 1822, allowed the institutions at the least four per centum on the whole amount of sales, for the sole purpose of covering losses. If that was enough to cover losses while the system was conducted by public agents, it would probably be sufficient after the management of the lotteries passed into the hands of individuals who had a direct interest in making them as productive as possible. Yet great and unusual misfortunes might happen. And it may in this place be proper to state the whole Fever Hospital lottery had its origin in the losses sustained on a single class drawn in 1811, by the failure of certain lottery dealers who had purchased tickets on credit. This sum originally was $61,685.

The principal, and in the opinion of the Attorney-General, the only considerations going to relieve the act of 1826 from the objections which have been mentioned, result from the provision which it made for the Albany land lottery. That lottery was before unlimited, and might be drawn after all the others had been closed. Indeed it has been said that it could not be drawn during the progress of the other lotteries, without violating the contract with the institutions. But it is not now deemed very important

to settle that question. It is enough for the present purpose that it might be drawn after all the others had terminated.

The act of 1826, in bringing that lottery within the general limitation of eleven years, was in furtherance of the policy adopted by the framers of the Constitution. The proprietors of the other grants, in assuming this additional lottery, and undertaking to close it within the period which had been assigned to the literature lotteries, performed a valuable service to the public, and were entitled to a just and reasonable equivalent. The proprietors were under no previous obligation to take upon themselves the hazards and responsibilities connected with the Albany lottery, and could have had no motive for doing so, but the prospect of some advantage which should at least be equal to the value of their new engagements. What should be the amount of this equivalent, and in what form it should be given, were matters to be settled by compact between the parties.

In addition to the fact that the proprietors assumed a lottery amounting to $250,000, in which they had no interest, it should be remembered that this was a lottery in which the prizes were payable wholly in land; and it was impossible to foresee what effect might be produced upon lottery operations by mixing land with money prizes. Such a measure was evidently calculated to diminish the sale of tickets and retard the progress of the lotteries. This was a proper consideration to be taken into the account in settling the value of the equivalent which the proprietors ought to receive for the new responsibilities which they assumed: and this, more than the amount of the lottery, increases the difficulty of determining how much the State should have given as a consideration for this contract.

After giving what he deems sufficient weight and importance to these suggestions, the Attorney-General cannot but think that the compact formed in 1826, was, to say the least, a most unwise and impolitic act on the part of the State. It has already been shown, on the supposition that the lotteries might be continued as rapidly after as they had been previous to the year 1826, (to say nothing of the possibility of increased success,) that the act of 1826 was equivalent to a grant of $311,395.21. The land lottery only amounted to $250,000. And had all the lands been sunk in the ocean, the proprietors of the other lotteries might have accepted

the terms of the act of 1826, and agreed to pay the corporation of Albany the $250,000, with a fair prospect of making more tha $80,000 by the bargain.

Still it must be admitted, that no one could certainly foretel the consequences which might result from adding a new lottery to the existing engagements of the managers; especially as the prizes in that lottery were payable in land. The right to contract concerning the lotteries was within the general powers confided to the Legislature by the Constitution, and they were consequently authorised to settle the terms of the compact. Their discretion in this particular had no limit, short of such an arrangement as should amount to the authorization of a new lottery. And such was not the necessary consequence of the arrangement made in 1826. It is not however intended to say, that a new grant must be the necessary consequence of the compact before it can be declared void; for upon that doctrine an agreement for the unrestricted privilege of drawing lotteries for one hundred, or even one thousand years, could not be avoided. There must be a limit short of the absolute certainty that an act concerning an existing lottery will amount to a new grant, which the Legislature cannot pass without subjecting the act to judicial revision, on the ground of the constitutional prohibition against further lotteries. It is impossible to determine as an abstract proposition, where that limit should be fixed. But a case might be presented of such a decided character, that every one would acknowledge that the Legislature had passed from the region of discretion on to forbidden ground. That such was the character of the act of 1826, the Attorney-General is not prepared to say. The probability that it would result in a great increase of lottery transactions, appears to him so strong and decided, that he could never have voted for the law, with a knowledge of all the facts which existed at the time of its enactment. But he cannot say that others will view the subject in the same light: nor that the law was so directly and palpably calculated to transgress the constitutional limit, that the courts may pronounce its invalidity. It is not the province of the judiciary to take cognizance of the abuse of delegated powers. In every government a large discretion must of necessity be confided to the law making power. For the improper use of that discretion, whether it result from inattention, misjudgment or corrupt motives, no judicial review has been provided.

The Attorney-General is of opinion that the act of April 13, 1826, the title of which is recited in the resolution of the Assembly, is a constitutional act; and that lotteries, in schemes of mixed (money and land) prizes, may be continued until the twenty-first day of April, 1834.

Should this opinion meet with the approbation of the Legislature, the Attorney-General respectfully invites their attention to the suggestion in his former report, in favor of having the time for closing all the lotteries definitively settled; and in such a manner that it may be generally understood. That question now depends upon a laborious investigation, and the right construction of a great number of statute laws, where there is much debateable ground; and upon the knowledge of facts, some of which cannot be directly proved without much trouble and expense. Such a state of things in relation to a matter of great public interest, can hardly fail to produce evil consequences. Although the managers claim that they have a legal right to continue the lotteries beyond the period assigned for their termination, in this and the former report, they have signified to the Attorney-General their intention to close the business with the present year. It is believed that such an arrangement is practicable, and that it would be conducive to the public interests.

Respectfully submitted.

GREENE C. BRONSON,
Attorney-General.

January 7, 1833.

No. 14.

IN ASSEMBLY,

January 9, 1833.

REPORT

Of the select committee, on the petition of the judges of the court of common pleas, of Oneida county.

Mr. I. C. Baker, from the select committee to whom was referred the petition of the judges of the court of common pleas, and members of the bar, of Oneida county, praying for a law authorising an additional term of the court of common pleas of said county,

REPORTED:

That, by the present existing laws, four terms of said court are held annually in said county, in connexion with the courts of general sessions of the peace: that said county contains twenty-five towns, besides the city of Utica, and a population of upwards of seventy thousand; and it has been found to be impossible to do the business of said court at the present terms: for the last year or two causes in said court have frequently been on the calendar three terms, and generally two terms; so that there were about eighty causes on the calendar at the last December term, not more than one third of which were disposed of by the court: that four of the judges of said court, and twenty-six members of the bar of said county, have united in said petition. And the committee are clearly opinion that the prayer of the said petitioners ought to be granted; and they respectfully ask leave to introduce a bill.

No. 15.

IN ASSEMBLY,

January 2, 1833.

ANNUAL REPORT

Of Benjamin C. Capron, an Inspector of Lumber for the city of Albany.

To the Honorable the Legislature of the State of New-York.

Statement of lumber inspected and measured by Benjamin C. Capron, an inspector of lumber, in and for the city and county of Albany, for the year 1832.

Pine plank and boards, 1st, 2d, 3d and 4th qualities,	397,787	feet.
Ash plank and boards in one quality, ...	103,884	"
Cherry plank and boards "	93,720	"
Whitewood plank and boards 1st and 2d qualities,..	97,145	"
Bass wood " " " " ..	68,021	"
Maple plank, boards and joist " " ..	23,319	"
Pine timber in cubic feet,.....	3,381	"
Oak ship plank, ...	5,742	"
Whole quantity feet,.....	792,999	

Fees received for above, ... $292 44

The above is respectfully submitted by

BENJAMIN C. CAPRON,

Inspector.

Albany, January 2d, 1833.

No. 17.

IN ASSEMBLY,

January 7, 1833.

ANNUAL REPORT

Of the Superintendent of Common Schools.

STATE OF NEW-YORK,
SECRETARY'S OFFICE.

Albany, January 7, 1833.

TO CHARLES L. LIVINGSTON,
Speaker of the Assembly.

SIR,

Herewith is presented the Annual Report of the Superintendent of Common Schools.

I have the honor to be,
With great respect,
Your obedient servant,
A. C. FLAGG,
Sup. Common Schools.

REPORT, &c.

STATE OF NEW-YORK—SECRETARY'S OFFICE.

Albany, January 7, 1833.

The Secretary of State respectfully submits to the Legislature the report required of him as Superintendent of common schools.

The statute relating to public instruction, requires the Superintendent to prepare and submit an annual report to the Legislature, containing,

"1. A statement of the condition of the common schools of the State:

"2. Estimates and accounts of expenditures of the school monies:

"3. Plans for the improvement and management of the Common School Fund, and for the better organization of the common schools: and,

"4. All such matters relating to his office, and to the common schools, as he shall deem expedient to communicate.

I. *As to the Condition of the Common Schools.*

There are fifty-five organized counties, and eight hundred and eleven towns and wards in the State. Returns have been received from the clerks of all the counties, containing copies of the reports of the commissioners of common schools from every town and ward in the State. Abstracts of the reports from the several towns and counties are appended to this report, and marked A. and B.

It will be seen by these abstracts, that there are 9,600 organized school districts in the State, and that 8,941 of these districts have made their annual reports.

The trustees are required to furnish a census of the children over 5 and under 16 years of age, who reside in their respective districts on the last day of December of each year; and also the number of children taught in each district school during the year

ending on that day. It will be seen by abstract B, that in the districts from which reports have been received, there were, on the last day of December, 1831, five hundred and eight thousand eight hundred and seventy-eight children over 5 and under 16 years of age; and that four hundred and ninety-four thousand nine hundred and fifty-nine scholars were taught in the same districts during the year; and that eight thousand nine hundred and forty-one district schools have been kept open for the reception of pupils an average period of eight out of the twelve months.

Two hundred and sixty-seven new districts have been formed during the year for which the reports are made; and the number of districts which have made reports to the commissioners has increased one hundred and six during the same time. Although reports have been received from 106 more districts than made reports last year, the number of children returned as having been instructed has decreased 2,146, as compared with the former reports.

This apparent diminution has been occasioned, in some degree, by greater accuracy in the reports of trustees and commissioners. Many districts are formed from two towns, and the trustees of such districts are required to make an annual report to the commissioners of each town from which the joint district is formed. In making an abstract of the reports from joint districts, the commissioners of each town would sometimes include the number of scholars taught in the whole district, instead of selecting such only as resided in that part of the district lying in their own town.

There are in the State about fifteen hundred districts, formed from two or more towns; and the apparent excess of children taught over those between 5 and 16 in former years, is to be ascribed principally to the fact, that in many cases the whole number of children taught in a double district were returned to the superintendent in the abstracts of the commissioners of two towns. To insure greater accuracy in this particular, special instructions were given to the commissioners in the forms which accompanied the Revised Statute in 1828, to embrace in the abstracts of joint districts such scholars only as resided in the same town with the commissioners. The proportion between the children enumerated and the scholars instructed has also been affected by the provision in the Revised Statutes requiring all over 5 and under 16 years to be included in the enumeration, instead of those from 5 to 15. A reference to the

annual reports for the last eight years, shows the following changes in the relative proportion between the children instructed and the whole number enumerated in the districts:

Excess of children taught, over those between 5 and 15.		*Excess of children between 5 and 16, over those taught.*	
By the report of 1826,..	18,189	By the report of 1831,..	1,083
" " 1827,..	16,206	" " 1832,..	7,428
" " 1828,..	17,804	" " 1833,..	15,581
" " 1829,..	11,775		
" " 1830,..	4,437		

The cities of New-York and Albany are excluded entirely from this estimate. It is thus shewn, that from 1826 to the present time, the children taught have lost more than thirty-three thousand in their relative standing on the reports of the Superintendent, when compared with the whole number of children between 5 and 15 or 16. The extension of the enumerated class from *fifteen* to *sixteen* years of age, will probably account for a great portion of the change which has been alluded to between the children taught and those of the enumerated class.

There are six counties in the State, viz. Cayuga, Genesee, Jefferson, Oneida, Onondaga and Otsego, in each of which more than fifteen thousand scholars are annually instructed. And there are twenty-four counties, including those before enumerated, in each of which more than ten thousand are returned as having been taught in the district schools, during the year ending on the last of December, 1831.

There are twenty counties, in each of which more than 200 district schools are organized; several of these have 250 schools in operation, and Otsego has 313, Genesee 328, and Oneida 350 organized school districts. The latter county has a population of seventy-one thousand souls, and reports more than twenty thousand children over 5 and under 16 years of age.

There are one hundred and twelve towns, in each of which more than one thousand children are annually instructed; several towns report more than fifteen hundred, and a few large towns have more than two thousand scholars on the rolls of the public schools.

There are eighty-one towns in which twenty or more school districts are organized in each; several of these have more than twenty-five, and a few towns report more than thirty districts organized according to law.

The average number of districts organized, including all the towns of the State, (778) is nearly 12½ for each town. The average number of scholars instructed in the districts from which returns have been received (8,941) is a fraction more than 55 scholars for each school. All the estimates in this report relating to the number of children taught, have reference to the whole number of scholars on the rolls of the district schools for the year; and it is not to be understood that each individual of the 494,959 scholars reported as having been taught has had 8 months of instruction during the year, but that this is the aggregate number of scholars on the rolls of the schools receiving more or less instruction, and that eight thousand nine hundred and forty-one schools have been kept open for the reception of pupils an average period of eight out of the twelve months.

In 1816, the number of organized districts was 2,755, and the children returned as taught in the common schools was 140,106. The increase in 16 years, of the districts which have adopted the school system, has been 6,845, and the increase in the number of children taught in the same time, 354,853. The paper marked C, is a comparative view of the annual returns, and shows the progress of the common school system from 1816 to the present time.

II. *Estimates and Expenditures of the School Moneys.*

The reports from the commissioners of the several towns show that the school moneys received by them and paid to the trustees of the several districts in April, 1832, on the district reports of the previous January, amount to $305,582.78 cents. Of this sum, 100,000 dollars was paid from the State treasury, $188,384.53 cents was raised by a tax upon the property of the inhabitants of the several towns and cities in the State, and $17,198.25 cents was derived from local funds possessed by some of the towns.

The public money paid by the commissioners to the trustees of the common schools exceeds, by $60,696.69 cents, the amount applied to the same object in the previous year. This addition has

been caused principally by an increased tax for the support of schools in the city of New-York.

The amount paid for teachers' wages in the several districts of the State, over and above the public money apportioned by the commissioners, as may be seen by abstract B, is $356,326.17 cents. This sum, added to the public money, gives a total of $868,902.95 cents paid for teachers' wages; except about 60,000 in the city of New-York, which is raised by a special tax, and applied to the erection of school-houses.

The productive capital of the School fund has been increased during the year ending 30th September, 1832, $31,015.88 cents, from the sale of school fund lands and other sources. Included in this increase is a sum of about sixteen thousand dollars, for the sale of a part of the arsenal lot in the city of Albany.

The productive capital of this fund now amounts to $1,735,175 28 cents. The revenue actually received on account of this fund for the year ending Sept. 30, is $92,755.21 cents. A statement is contained in document D, which exhibits the estimated revenues and actual receipts on each item of the School Fund for 1832. The revenue for the coming year is estimated by the Comptroller at $101,258. The document marked D, contains the items of the School fund, the estimated revenue upon each item, and a statement shewing the increase and diminution of the fund for the last year.

The perpetuity of the School fund is guaranteed, and its gradual increase provided for, in the following provision of the new Constitution, viz: "The proceeds of all lands belonging to this State, except such parts thereof as may be reserved or appropriated to public use, or ceded to the United States, which shall hereafter be sold or disposed of, together with the fund denominated the Common School fund, shall be and remain a perpetual fund; the interest of which shall be inviolably appropriated and applied to the support of common schools throughout this State."

This provision of the Constitution in relation to the transfer of the State lands to the School fund, took effect on the 1st of January, 1823, at which time the capital of the Common School fund amounted to $1,155,927.40 cents.

The report of the Comptroller in January, 1824, shows an increase of the fund of $17,085.88 cents, principally from sales of lands.

The report of 1825, shows a further increase of $115,396.19 cents, from sales of lands, and an appropriation of 40,000 dollars from lotteries.

The report of 1826 shows an increase of $31,576.99 cents, from sales of lands.

The report of 1827 shows an increase of $33,591.18 cents, from sales of lands.

The report of 1828 shows an increase of $257,619.16 cents. This increase was produced by a direct transfer of 133,000 dollars from the General fund to the School fund, by a part of the premium on the stock loaned to the Hudson and Delaware canal company, and by an extensive sale of school fund lands at Oswego.

The report of 1829 shows an increase of $73,532. This increase included a part of the premium on the Hudson and Delaware canal stock, and the ordinary sales of lands.

The report of 1830 shows a diminution of the fund, over and above the additions by the sales of lands, of $23,547.56 cents. This was caused by the failure of the Middle District bank, and the loss to the School fund of 50,000 dollars, being the one-half of the bank stock which was transferred from the General fund to the School fund, in compliance with the act of April 13, 1827.

The report of 1831 shows an increase of $35,562.42 cents, principally by the sales of lands.

The report of 1832 shows an increase of $7,415.74 cents, from the same source.

The report of 1833 shows an increase during the year ending Sept. 30, 1832, of $31,015.88 cents, by the sales of lands.

It is now ten years since the constitutional provision to enlarge the School fund took effect; and the aggregate increase of the fund during that period, deducting the loss of $50,000 by the failure of the Middle District Bank, is $579,347.88 cents, which is an average annual increase of $57,937 for ten successive years. The

paper marked E, exhibits the amount of the capital of the School fund in each year, from the foundation of the fund in 1805–6 to the present time, a period of twenty-seven years; also, the annual revenue derived from it, and the increase of the capital from year to year.

The unproductive portion of the School fund consists of about 800,000 acres of land, lying principally in the 4th senate district. These lands are in the wilderness which is surrounded by the settlements in the counties of Montgomery, Warren, Essex, Clinton, Franklin, St. Lawrence and Herkimer. A great portion of these lands are rough and inaccessible for want of roads; but sales are gradually making, and at the lowest estimate, the avails of these lands will in a few years increase the productive capital of the School fund to two millions of dollars.

In addition to the State fund for the support of schools, many of the towns have a local fund from which their schools derive essential aid. In most cases these local funds were created by reservations of lots of land for school purposes, in the original grants of the townships. These lots have subsequently been sold or rented, and the fund is managed by trustees chosen by the inhabitants of the towns, who are allowed to apply to the support of the common schools, only the revenue of the fund, preserving the capital entire. In each of the military townships which were granted by this State to the soldiers of the revolution, five hundred and fifty acres, as near the centre of the township as was practicable, were reserved for the use of schools in the town. The grants to the revolutionary soldiers embraced some of the most fertile and valuable lands in the State, covering the territory which now forms the counties of Onondaga, Cayuga, Seneca, Cortland, Tompkins, and parts of Wayne and Oswego. Many of these school lots were very valuable, and some of the towns derive an annual revenue of more than five hundred dollars from the fund established by the sale of the school lands. In dividing any of the original townships, the school lot was also divided, which accounts for the small sums received by many of the towns, as at present organized.

In the original grants under the act of 1789, there was also a reservation of one lot for the support of the gospel in each township. By an act passed in 1798, the freeholders and inhabitants of the town in which the reserved lots lie, were authorised, in legal

town-meeting, to apply the avails of the gospel and school lots, either for schools or gospel, or both. The town-meetings, it is believed, generally voted to apply the avails of the "gospel and school lots" exclusively for the support of schools. And in 1813, it was provided by statute "that all moneys now due or hereafter to become due, and which shall come into the hands of the commissioners of public lots, and have not been applied and paid over to religious societies, shall be apportioned among the several school districts in the several towns in the aforementioned counties,* any thing in the acts heretofore passed to the contrary notwithstanding." The annual revenue arising from the avails of the gospel and school lots in the whole State, is $14,571.24 cents, and the aggregate capital of these local school funds may be estimated at nearly 250,000 dollars.

In several of the towns there is a local school fund derived from a different source. Before the establishment of the present poor-house system, many of the towns had a fund for the support of the poor. In those counties in which all the poor are declared to be a county charge, the town fund is no longer needed for its original object; and an act passed April 27, 1829, authorises the inhabitants of any town thus situated, to appropriate the poor fund to any other purpose; and if for common schools, the money thus applied is to be placed in charge of the school commissioners, as a permanent school fund for the town, and the annual interest to be apportioned to the common schools; unless the inhabitants at an annual town-meeting make a different application of the capital. The revenue received from local funds, other than those derived from gospel and school lands, is 2,627 dollars; which is the interest at six per cent., of a capital of nearly 44,000 dollars.

It is evident from the data thus furnished, that the aggregate capital of the various town school funds, amounts to 294,000 dollars. Add this to the capital of the State school fund, and it makes a productive capital of two millions and twenty-eight thousand dollars, set apart for the support of common schools. The paper marked F, contains a list of the towns possessed of local school funds, which have become productive, and also a statement of the principal reservations for school purposes, in the original grants of military and other lands.

* Onondaga, Cayuga and Seneca were named in the act.

III. *The management of the Common School fund.*

The Common School fund is included in the general system for managing the finances of the State; and the Commissioners of the Land-Office have the management and sale of the School fund lands, as well as of the lands belonging to the other funds of the State.

There remained in the treasury on the 30th of September, 1831, $61,887.64 cents of School fund capital uninvested. The accumulations of capital since, from the sales of School fund lands, and payments on the principal of the loans of 1786, 1792 and 1808, amount to $79,689.82 cents, making a total sum in the treasury to be invested, of $141,577.46 cents. This sum, with the exception of $2,714.02 cents, has been invested in 6 per cent. bonds and mortgages; which were transferred from the General fund, in compliance with the first section of chapter 296, of the Session Laws of 1832. An amount of 80,000 dollars of five per cent. Oswego Canal stock, has been exchanged for bonds and mortgages which belonged to the General fund. The total amount of bonds and mortgages transferred from the General fund to the School fund, was $218,863.44 cents. These securities are all at an interest of six per cent., and were taken for the sales of lands in the Brothertown tract; Canastota tract; east and west Cayuga reservations; first, second, third and fourth allotments of New-Petersburgh, in the counties of Madison and Oneida; the Oneida purchase of 1802; the first and second purchases of 1815; Oneida purchases of 1824, 1826, 1827, and the first and second purchases of 1829; and the sales of Leake's escheat in the city of New-York. It is believed that the sums due on all these lands are abundantly secured; but the interest is not always paid with the punctuality which is needed to meet the annual distribution of the school revenues. The productive capital of the School fund now consists of $507,009.23 cents, in bonds and mortgages for lands sold, being at an interest of six per cent.; of loans to the counties of Broome, Erie, Clinton, Chautauque and Cattaraugus, 17,663 dollars at six per cent. interest; the remainder of the loans of 1786, 1792 and 1808, in all amounting to $587,788.97 cents; at an average interest of six per cent.; canal stock, 327,000 dollars, bearing an interest of five per cent.; of stock in the Merchants' and Manhattan banks of New-York, 230,000 dollars, on which the dividends are six per cent. per annum; and 2,714 dollars are in the treasury uninvested. The entire capital, with the exception of the inconsiderable sum before mentioned, is securely and profitably vested, and the revenues from it may be relied upon with reasonable certainty.

IV. *The organization of the Common Schools.*

The organization of the common schools, so far as relates to the distribution and application of the money, and a formal compliance with the requirements of the statute, is highly satisfactory, and the Superintendent is not aware of any defects in the organization of the system, which, in his judgment, could be reached by legislative enactments. The school money is apportioned by the Superintendent to 780 cities and towns—this money is paid to the treasurers of 55 counties, and by these officers to the commissioners of 780 towns and cities, and by these commissioners to the trustees of 8,941 districts. The trustees apply the money and account for its application annually to the school commissioners—and the commissioners make an annual report through the county clerk's office to the Superintendent, which contains an abstract of the trustees' reports as well as an account of the moneys received and apportioned to the districts, by the commissioners themselves. The returns received in October and November last, from the clerks of the several counties, contained copies of the commissioners reports from every town and city in the State. When it is considered that the district and town officers who have an agency in making these returns, form a body of thirty-eight thousand persons—it must be conceded that such results could only be produced by the most perfect organization, and an attention to their duties on the part of the officers of common schools, which is highly creditable to their zeal and intelligence. In 1822, twenty-seven towns made no returns; in 1823, twenty-one towns; in 1824, twenty-nine towns; in 1825, seventeen towns; in 1827, two towns: Since which time, returns have been obtained from all the towns; and this has been effected by writing specially to the clerks of from 20 to 25 towns each year, after the period when the returns should have been made. The reports for the past year were received in due time, from the commissioners of 780 cities and towns, without a single case of delinquency.

Those who founded the common school system of this State, never contemplated that the public fund would at any time yield a revenue adequate to the support of such an extensive establishment. The first condition on which the public money was offered to the towns, was, that the inhabitants of each town should, by a vote at their town-meeting, authorise a tax to be raised equal at least in amount to the sum apportioned to their town from the

State treasury; which sum was to be added to the apportionment from the School fund, and the amount thus made up, be applied to the payment of teachers' wages. Another requirement of the system, is, that before the inhabitants of a neighborhood can participate in the public fund, they must organize a district, erect a school-house, furnish it with fuel and necessary appendages, and have a school taught therein at least three months by a legally qualified teacher; and it is on a report of all these facts by the trustees, that the commissioners are authorized to apportion the school money to a district.

The voluntary contributions of the inhabitants of the school districts, form so important a portion of the means which are necessary to give effect to the school system, that when new forms were furnished with the Revised Statutes, a column was added, requiring the trustees in each district to report the sums paid for teachers' wages, by the patrons of the district school, over and above the sums received from the State treasury, the town tax, and the *local school fund.*

Seven hundred and sixty-one towns, (omitting all the wards,) have made returns the past year, exhibiting a total amount paid by individuals in the several school districts, for school bills, besides the public money apportioned to the districts, of $358,320.17 cents; which, added to the public money, ($305,582.78,) makes the aggregate amount of $663,902.95 cents paid for teachers wages alone, in the common schools of the State.*

These returns show, that where the State, or the School fund, pays one dollar for teachers' wages, the inhabitant of the town, by a tax upon his property, pays $1.28 cents, ($60,000 deducted for New-York,) and by voluntary contribution in the school district where he resides $3.58 cents for the same object; and the proportion of 17 cents is derived from the local School fund.

The amount paid for teachers' wages, is only about one-half of the expense annually incurred for the support of the common schools, as the following estimates will show. Taking the average between the whole number of districts organized, (9,600,) and the number from which reports have been received the last year, (8,941,) and

* A part of the money received by the commissioners in the city of New-York is applied to the erection of school-houses, the purchase of fuel, books, &c. and that amount, perhaps 60,000 dollars, should be deducted from the sum applied for teachers' wages.

it will give 9,270 as the probable number of schools in operation. Deducting 30 for the city of New-York, and there will remain 9,240 school-houses, which, at an average price of 200 dollars each, would make a capital of 1,840,000 dollars; add to this the cost of the school-houses in the city of New-York, (say 200,000 dollars,) and it exhibits a capital of 2,040,000 dollars vested in school-houses, which at an interest of 6 per cent per annum, is..... $122,400 00

Annual expense of books for 494,959 scholars, at 50 cents each, ...	247,479 50
Fuel for 9,270 school-houses at $10 each,.....	92,700 00
	462,579 00
Add public money appearing from the returns, and before referred to, ...	305,582 78
Add also the amount paid in the districts besides public money, ...	358,320 17
	$1,126,482 45

And it makes a grand total of one million one hundred and twenty-six thousand four hundred and eighty-two dollars and forty-five cents, expended annually for the support of the common schools of the State.

The preceding estimates show that the revenue of the School fund, (that is, the $100,000 paid from the State treasury,) pays a fraction less than one-eleventh of the annual expenditures upon common schools; two-elevenths are raised by a tax upon the several towns and cities, and the three-elevenths thus made up, (being the item of $305,582 in the foregoing estimate,) constitutes what is called the "School money," and is the sum received by the commissioners of the cities and towns and paid to the trustees of the several public schools. A fraction more than two-elevenths (being $215,110 for school-houses and fuel,) is raised by a tax upon the property of the several districts, in pursuance of a vote of the inhabitants thereof; and the residue, nearly six-elevenths, (being $605,799,) is paid voluntarily by the parents and guardians of the scholars for the balance of their school bills (after applying the public money,) and for school books.

There is some difference of opinion among the friends of universal instruction, as to the mode of providing funds for maintaining the schools, which is best adapted to the accomplishment of the object. Of the three modes of providing for popular instruction—that

in which the scholars pay every thing and the public nothing—that in which the public pays every thing and the scholars nothing—and that in which the burden is shared by both—Dr. Chalmers, in his "considerations on the parochial schools of Scotland," gives a decided preference to the latter mode,* which is the system adopted by the State of New-York.

This system offers to each neighborhood a small sum yearly, as an inducement to the inhabitants to tax themselves and to establish and maintain a school. The sum distributed is not so large as to induce a belief that the inhabitants have no exertions to make themselves; on the contrary, it is coupled with such terms as to require a school-house to be erected and a considerable sum to be expended, before the district can participate in the public fund: And this fund, as the returns show, pays so small a share, (only one-eleventh of the school expenditures,) that there is a continued necessity for individuals to tax themselves in order to keep up the school. That feature in our system which authorises district taxation, and which requires individuals to pay beyond the amount received from the public, has a beneficial influence upon the school and all the district operations. The power given districts to levy taxes upon all the property of the inhabitants for school-houses, repairs, appendages and fuel, induces a punctual attendance of all the taxable inhabitants at the school meetings; those citizens who have most at stake in the district are induced to act as trustees, in order to secure themselves against improvident taxation, and all the ills of a careless administration of the district affairs: And even the persons who patronize the school are induced by the assessment to send their children with more punctuality, in order to get an equivalent for their money; when if the whole sum was paid by the State, these same persons might neglect the school as a matter with which they had very little concern.†

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* Edinburgh Review, No. 91.

† A very intelligent citizen of Connecticut, in giving his views of the school system of that state, remarks as follows:

"Requiring of the recipients of this public bounty nothing more than that it be expended according to the provisions of the law, is an obvious defect in this system. In this point, the policy adopted in the State of New-York, is deserving of imitation. A sum proportioned to the amount received from the State ought to be advanced for the same objects by all to whom it is distributed, excepting the indigent. Such a proposition would cause a valuable augmentation of the revenues of teachers, and in that way command services of a higher character. But I should not consider that as its highest excellence. We know, from common and universal experience, that little interest is felt in that which demands neither expense nor attention. Our country is affluent, and pecuniary means may be commanded for whatever we have the will to perform. Few, comparatively, are so indigent as to need charitable aid in the education of their children. A public fund, for the instruction of youth in common schools, is of no comparative worth as a means of relieving want. Its higher value would consist in its being made *an instrument for exciting general exertion* for the attainment of that important end.

The amount distributed from the School fund of this State, has been eminently serviceable in arousing the public attention, and in affording an inducement for the establishment of schools where otherwise they might have been neglected. This is all that can beneficially be done by a public fund: if twenty-five dollars induces the inhabitants of a neighborhood to establish a school, it answers all the useful purposes of one hundred dollars applied for the same object; and it is quite probable, that a district receiving twenty-five dollars annually, will support as good a school, and be as prosperous, as if the entire expenses of the school were paid by a public fund. The distribution of one hundred thousand dollars from the State treasury, under our system, insures the application of more than a million annually to the purposes of common schools; and in a way, too, which does as much, if not more substantial good, than if the whole sum was disbursed from the State treasury. What more, then, can be desired or expected from the mere appropriation of money to that object by the State? It is admitted that the standard of education in the schools is below what it ought to be; but would this be changed by paying a million of dollars annually from the State treasury, instead of raising it in the towns and districts? Would the source from which the money came have any influence in elevating the character of the teachers? And from what source is the capital to be derived, which is to produce annually a revenue of a million of dollars? If by a resort to taxation, it can in no way be done so economically as by the people themselves, in the present mode. With this view of the subject, instead of repining because the revenue of the school fund apportions only the small sum of 20 cents annually to each child between 5 and 16 years of age, we should rather rejoice that such great results have been accomplished with such comparatively trifling means.

The common school system of this State partakes in some degree of the different school systems in the New-England States. Connecticut has a large fund, apportioning 85 cents annually to each child. Massachusetts and Maine have no School fund,

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In proportion as it excites and fosters a salutary zeal, it is a public blessing. It may have, on any other principle of application, a contrary tendency, and become worse than useless. It may be justly questioned whether the school fund has been of any use in Connecticut. It has furnished a supply where there was no deficiency. Content with the ancient standard of school instruction, the people have permitted the expense of sustaining it to be taken off their hands, and have aimed at nothing higher. They expended about an equal sum before the school fund existed. They would willingly pay seventy thousand dollars more, if made a condition of receiving the State bounty, and thus the amount would be doubled, for an object in which they would then feel they had some concern."

but raise the necessary sum for the support of primary schools, by an annual tax; in the latter State, the sum raised is equal to 40 cents for each person enumerated in the census. In New-York, the two principles of a State fund, and a local tax are combined. The standard of education in the great mass of the primary schools, in Connecticut with her large fund,—in Maine with a tax of 40 cents to each person—and in New-York with a small fund and moderate tax—is not essentially different. There is also a remarkable equality in the sum applied for the support of schools, by the same mumber of inhabitants, in Maine and in New-York, under their respective systems. According to the principle of assessment in Maine, Dutchess county would pay a school tax of $20,370; under our system, the money expended in that county for the past year, for teachers' wages, amounts to $19,827.40 cents. The county of Ontario, according to the Maine system, would be taxed for schools, $16,148; and under our system, the money expended in that county, for the year embraced in the report, amounts to $16,042.25 cents. These counties have a dense population, have no *local funds* of consequence, and afford a fair illustration of the operation of our system.*

The condition of the common schools, and the character and qualifications of the teachers employed in them, are of the highest importance, in a government which is based upon the virtue and intelligence of the great body of the people. It is very desirable to elevate the standard of education in those schools, on which

* The following comparative view shows the amount paid for teachers' wages, including the sum received from the State, under our system; as well as the sum which the same counties would pay by raising an amount equal to 40 cents for each person, according to the system in Maine. The counties are selected from each of the eight Senate districts in the State.

Districts.	Counties.	Would pay on the Maine system at 40 cents for each soul.	Actually paid under our system, in 1830.	Actually paid under our system, in 1831.	Actually paid under our system, in 1832.
1.	Suffolk, ...	$10,712	10,574	$11,040	$10,157 63
2.	Dutchess,.....	20,370	20,862	20,500	19,827 40
3.	Columbia, ...	15,980	15,719	17,682	14,909 25
4.	Washington, ...	17,046	13,860	15,400	14,507 85
5.	Jefferson, ...	19,405	14,523	16.097	17,814 15
6.	Otsego,..... .	20,548	16,732	17,353	15,180 48
7.	Ontario, ...	16,069	16,936	16,894	16,042 25
8.	Livingston, ...	11,087	10,527	10,770	11,246 26

The census taken as the basis for showing what the above counties would pay on the Maine system, gives the population as it was on the 1st of August, 1830. The amount stated in the first column as "actually paid," includes the public money distributed by the commissioners of schools in April, 1830, and the amount paid for teachers' wages, over and above the public money, for the year ending December 31, 1829. The second column embraces the public money paid in April, 1831, and the amount paid in the districts, for the year ending the last of December, 1830, so that an average of the expenditures, as given under 1830 and 1831, would probably be the fairest test in assuming the census for 1830 as the basis of a comparison of the amount paid under our system, with that of Maine.

forty-nine out of fifty of our whole population are dependant for the education which they receive. The great point in this desirable plan of reform, is to obtain well qualified teachers. To effect this, it is first necessary that the required number of persons should be trained to the business of teaching; and in the second place, that the services of those persons thus qualified, should be secured to the district schools. How is this to be accomplished? Some of the friends of the school system are in favor of State seminaries for the instruction of teachers; others have suggested a more rigid inspection of those who present themselves as instructors, to secure the schools against incompetent teachers. There are many who seem to suppose that a simple enactment on the statute book, declaring that competent teachers should be employed by all the districts, would produce this desirable result. It is obvious, however, from the necessary organization of a system of universal instruction among a free people, that no essential improvement can be made in the character of the schools, without the co-operation of a majority of the inhabitants, in all the school districts. The mere distribution of money, however abundant, will not produce good schools. They can only be established and kept up by continued exertion, and much pains-taking, on the part of a number of the inhabitants of each district. If this be not done, the money may be squandered upon incompetent persons, and the usefulness of the school destroyed. Under our system, where only about one-eleventh of the means for supporting the schools is furnished by the State, every measure is necessarily submitted to the action of a majority of the taxable inhabitants of each neighborhood. They vote the tax for erecting the school house, and for fuel. It is the public opinion of the district which fixes the wages of the teacher, for by this opinion the trustees are in most cases governed. Unless a majority of the inhabitants of each district could be persuaded to pay the required wages to those who might be trained in a State seminary, how are the services of such persons to be secured to the common schools, after they have been thus qualified at the expense of the public? The returns show that about $600,000 are paid for teachers' wages in all the district schools. This is the amount paid to the teachers of 8,900 schools, for eight months of the year; being an average of $8.42 cents per month for the wages of a teacher. On the supposition that the schools are kept half of the time by female teachers, at five dollars a month, it would leave $11.85 cents as the ave-

rage monthly wages of male teachers, in the common schools. Is this sum sufficient to command the services of competent teachers? And if not, what is the remedy? If an increase of wages would reach the object, a bounty to each teacher would seem to be an appropriate remedy. But this increased appropriation would pass through the same hands as the sum at present distributed; the inhabitants and trustees would employ a teacher at twelve dollars a month, and pay as much less out of their own pockets, as the special appropriation amounted to. They would not tax themselves, so long as the public money would pay the full wages of a teacher, whose demands for his services, and whose qualifications, corresponded entirely with their views of competency. It is not at all probable that the distribution of three hundred thousand dollars annually from the State treasury, (instead of the present sum of one hundred thousand dollars,) would essentially increase the wages, or elevate the character of the teachers of the district schools. The operations of a system of universal instruction, are necessarily conducted, and in a great measure controlled, by the inhabitants of the neighborhoods in which the schools are located. It is necessary to convince a majority of the taxable inhabitants of each district of the importance of paying higher wages and securing better teachers, before any essential improvements can be made in the character of the common schools. If the inhabitants of a district have made up their minds to pay only twelve dollars a month for a teacher, this fixes the standard; and they will pay him that sum, and no more, whether the money is furnished from the public fund or from their own pockets; and just so much as the public dividend is increased, to that extent will the contributions of individuals be diminished. This fact is most strikingly illustrated in the following statement, in which is exhibited the sums applied to the support of schools in seven counties, having local funds, and in seven other counties having no funds, according to the ratio of the population in each. It will be seen by this statement, that those counties which have a local fund to a considerable amount, actually pay less for the support of schools, including this extra fund, than the same number of inhabitants in those counties where there is no local fund.

Counties with local fund.	Population.	Local fund.	Total paid for schools.	Proportion to each inhabitant.
Cayuga, ...	47947	$2213 38	$17,145 11	$35\frac{7}{10}$ cts. to each soul
Chenango, ...	37404	1342 80	12,686 64	$33\frac{9}{10}$ do
Cortland, ...	23693	859 30	7,287 37	$30\frac{7}{10}$ do
Madison, ...	39037	1018 00	11,980 83	$30\frac{7}{10}$ do
Onondaga, ...	58974	2794 39	18,707 52	$31\frac{7}{10}$ do
Seneca, ...	21031	1801 75	9,553 69	$45\frac{4}{10}$ do
Tompkins, ...	36545	2765 23	12,339 17	$33\frac{8}{10}$ do
				$34\frac{6}{10}$ general av'rage
Counties without local fund.				
Jefferson, ...	48515	no fund.	$17,814 15	$36\frac{7}{10}$ cts. to each soul
Erie, ...	35710	"	11,008 58	$30\frac{8}{10}$ do
Ontario, ...	40167	"	16,042 25	$39\frac{9}{10}$ do
Dutchess, ...	50926	"	19,827 40	$38\frac{9}{10}$ do
Suffolk, ...	26780	"	10,157 63	38 do
Livingston, ...	27719	"	11,246 26	$40\frac{5}{10}$ do
Yates, ...	19019	"	6,559 36	$34\frac{1}{2}$ do
				$37\frac{1}{10}$ gen. average.

It is thus seen that in those counties where there is no local fund, the school money paid for teachers' wages from all sources, is equal to $37\frac{1}{10}$ cents to each inhabitant; and in those counties possessed of local funds to a considerable amount, the average is only $34\frac{6}{10}$ cents to each soul. The highest average falls $2\frac{9}{10}$ cents below the school money raised by tax in the State of Maine, which is 40 cents for each person.

It is evident from the foregoing comparison, that the possession of a liberal fund has the effect of lessening the burthens of the inhabitants of the districts, but not of increasing the sum total of the contributions for the support of the schools.

A more rigid discharge of their duties on the part of the inspectors, is in many cases desirable: But even this is not without its difficulties. It is quite common for the inspectors to be urged to give a certificate to a teacher of doubtful qualifications, because the trustees and inhabitants of a particular district are satisfied with him, and can obtain his services for a sum which they are able to pay: And the alternative is presented to the inspectors, either to yield to these importunities of the persons who claim to be

judges of what is best for themselves—or by a rigid inspection, to deprive the most needy districts of all participation in the public money, and give the share of these poor districts to the more wealthy, which are abundantly able, even without the public money, to employ teachers of the highest grade.

The incorporated academies may be relied upon as seminaries for the education of teachers. There are now 55 academies in the State; in the erection and endowment of which about $400,000 have been expended by the State and by individuals; and to these academies a revenue of ten thousand dollars is distributed annually by the State. In 1827, one hundred and fifty thousand dollars were transferred from the General funds of the State to the Literature fund, for the avowed object of promoting the education of teachers of common schools, by increasing the apportionment to the academies. And it is believed that if the school-districts would hold out as strong inducements as are presented by the other pursuits of life to young men of talents, that there would be no want of a sufficient number of well qualified instructors; and that the academies would in fact become seminaries for preparing teachers for the common schools.

The schools will gradually improve in their character, as the inhabitants become convinced that their true interests will be promoted by employing competent teachers, at liberal prices, rather than incompetent ones at any price.

At the last session of the Legislature, an act was passsed (Chap. 299) requiring "the Superintendent of common schools to procure and furnish to each of the school districts in this State, a copy of Hall's Lectures on School-keeping, for the use of said districts." Soon after the adjournment of the Legislature, a correspondence was opened with the proprietors of the copy right of the above work, who offered to furnish ten thousand copies at 22 cents each copy, being $2,200 for supplying the districts. Having assured the committee of the Senate, before the law passed, that the schools could be supplied with Hall's Lectures at an expense of about 1,000 dollars, the Superintendent declined the offer, and proposed to pay 300 dollars for the privilege of publishing ten thousand copies; or $1,200 for the same number of copies to be furnished by the proprietors. They accepted the first proposition, and

arrangements were made with Packard & Van Benthuysen of this city for the printing of an edition of 10,000 copies, to be stitched in pamphlet form, with a paper cover, for $779.76 cents: This sum, with $300 for the copy-right, makes the total expense $1,079.76 cents. The work is printed on good paper, with a fair type, and makes 100 pages, duodecimo. This work, which is sold at the book-stores for 75 cents, bound in boards, costs the State, by this arrangemert, a fraction more than 10¼ cents a piece, in pamphlet form. These lectures will be sent to the county clerks in the boxes with the laws of the present session of the Legislature.

The table marked G, is an abstract from the reports of the commissioners, of the school books most in use in the common schools. There are in the whole list, 124 different kinds of books; but those principally used, amount only to about thirty. These books are generally of an excellent character, and the choice of class-books may safely be left, as heretofore, to the inhabitants of the districts, the inspectors, and the teachers. On the subject of prescribing books for the schools, the Superintendent begs leave to refer to his former reports.

The subject of primary education in the city of New-York, is of vast importance to the well being of the city. Impressed with a belief that the arrangements for public instruction were altogether too limited for the wants of that great and growing city, the Superintendent has on several occasions called the attention of the Legislature to this subject; and in November, 1831, addressed a letter to the Commissioners of Common Schools for the city of New-York, asking their advice in relation to the best mode of extending the means of instruction. Their reply is given in the paper marked H. Their annual report, containing important suggestions on the same subject is also given, to which the consideration of the Legislature is respectfully invited. The sum apportioned to the public schools in New-York, during the past year, was $90,748.86 cents, being nearly twenty dollars to each scholar instructed in the schools which are allowed by the corporation to share in the fund. The culpable indifference of parents in availing themselves of the benefits of the public schools, is still felt as a serious evil in the city of New-York. The Public School Society has endeavored to counteract this deplorable apathy, by employing a person at a salary of 800 dollars a year, to visit pa-

rents in all sections of the city, and to invite and persuade them to send their children to school: and it appears by the report of the Commissioners, that the corporation of New-York have passed an ordinance, "excluding from the participation of public charity, when it may be required, all out door poor, whether emigrants or not, who, having children between the age of five and twelve, neglect or refuse to send them to some one of the public schools."

Arrangements are making by the trustees of the Public School Society, to establish ten additional schools for small scholars, in different parts of the city. The public schools in New-York are of an excellent character, and the efforts which are making to increase their number and extend their usefulness, it is hoped, will secure the co-operation of all the friends of popular education.

A strong conviction that something ought to be done to provide the means of instruction for the inmates of the manufacturing establishments, which are building up in various sections of the State, induces the Superintendent again to call the attention of the Legislature to this subject. In many of these establishments children are employed at a very early age; and there is great reason to apprehend, that the necessities or the cupidity of parents and guardians, will, in too many cases, overcome their obligations to their children and to society, and induce them entirely to neglect their education, in order to secure the comparatively miserable stipend which they can earn in these manufactories. Our laws now require the children in the poor-houses to be instructed; and if they are bound out, the law requires a condition in each indenture, that the master will cause such child to be instructed to read and write, and if a male, will cause him to be instructed in the general rules of arithmetic. The returns from the Superintendents of the poor for the year ending December 1, 1832, include more than one thousand scholars instructed in the poor-houses. The policy of all our laws is to secure a good common school education to every child in the State; and the condition of the children who are employed in the manufactories, as to their means of instruction, ought to be carefully inquired into and provided for. The diffusion of education among all classes of our population is deemed of such vital importance to the preservation of our free institutions, that if the obligations which rest upon every good citi-

zen in this particular, are disregarded, the persons having the custody of such children, ought to be visited with such disabilities as will induce them, from interest if not from principle, to cause the children to be instructed, at least in reading, writing and arithmetic.*

Intelligence has been regarded as the vital principle of a free government; and every parent, guardian or master, who neglects or refuses to give the children under his charge the advantages of a common school education, particularly in cases where the instruction is offered "without money and without price," is as much an offender against the State, as the man who refuses to perform any other duty, which is deemed essential to the preservation of our liberties.

Those who have considered the numerous difficulties which present themselves at every point, in carrying into effect a system of universal instruction; and who have witnessed the indifference of parents in sending their children to schools which have been brought almost to their doors, cannot but regard the Sunday schools as an important auxiliary to the cause of general education. Thousands are induced to attend these schools, and are taught to read, who, but for the benevolent exertions of the Sunday school teachers, would be entirely neglected, and left a prey to ignorance and vice.

The efforts made by the friends of the Sunday schools, in visiting parents and seeking out children who need instruction, in providing clothing for such as are destitute, and in removing all impediments to their attendance, give this system of instruction peculiar claims to the favor and good wishes of the friends of popular education. To ensure a good common school education to the entire mass of our population, is a work of such magnitude in itself, and of such vast importance to the well being and permanency of our republi-

* In Prussia, parents are subject to a penalty, if they neglect to send their children to school, after they arrive at a certain age. The laws of the colony of New-Haven, as early as 1665, made it the duty of all parents and masters to "provide that all their children and apprentices, as they grow capable, may, through God's blessing, obtain at least so much [instruction] as to be able to read the Scriptures, and other good and profitable books in the English tongue, being their native language. Parents and masters, found to neglect this duty, were, on the first complaint, to be fined ten shillings; on the second complaint, three months after the first, twenty shillings; on the third complaint, they were to be fined still higher, or their children and apprentices were to be taken from them, and put under the care of others; males until 21, and females until 18 years of age."

can institutions, that the friendly co-operation of all denominations of persons is desirable, if not indispensable, in carrying into effect the great purposes which the common school system of this State was designed to accomplish.

A. C. FLAGG,
Superintendent of Common Schools.

(A.)

ABSTRACT

From the returns of Common Schools, of the several Towns and Counties in the State of New-York, for the year 1832.

ALBANY COUNTY.

Counties and Towns from which returns have been received.	Whole No. of school districts in said towns.	No. of districts from which returns have been received.	Average No. months in year.	Amount of public money received in said districts, as stated in said returns, during the year.	Amount paid for teachers' wages, besides public money.	No. of children taught therein, during the year, as stated in said returns.	Number of children between the ages of 5 and 16 years, residing therein, as stated in said returns.
City of Albany,	9	9	10	3455 54	1033 64	2570	5461
Bethlehem,	28	28	9	641 47	1589 38	1321	1870
Berne,	22	21	8	325 00	611 69	1101	1165
Coeymans,	15	15	9	283 73	762 57	824	880
Guilderland,	10	10	9	285 72	712 09	591	845
Knox,	13	12	6	227 78	304 91	502	626
New-Scotland,*							
Rensselaerville,	21	21	8	384 40	805 95	1087	1011
Watervliet,	15	15	8	442 20	1204 27	886	1234
Westerlo,	23	23	9	345 94	776 17	1036	1049
	156	154	8	6391 78	7800 67	9838	14148

ALLEGANY COUNTY.

Allen,	6	5	7	140 30	108 66	293	292
Alfred,	13	11	6	217 27	289 70	619	596
Almond,	16	14	7	168 60	576 01	607	560
Amity,	10	9	5	89 45	114 15	266	290
Andover,	10	6	5	75 00	90 41	122	156
Angelica,	8	8	6	96 08	297 28	331	352
Belfast,	10	8	5	107 95	99 21	254	212
Birdsall,	6	6	7	88 41	143 54	199	168
Burns,	5	4	5	76 57	90 81	183	174
Bolivar,	5	5	5	60 90	112 48	199	165
Caneadea,	7	7	5	108 80	90 52	230	236
Centreville,	8	8	5	156 56	146 59	450	373
Cuba,	9	9	6	84 17	192 04	376	359
Eagle,	10	7	6	140 90	128 75	294	291

* Included in Bethlehem.

ALLEGANY COUNTY, (CONTINUED.)

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Friendship,	14	10	6	148 09	367 56	500	461
Genesee,	4	3	5	37 22	39 91	67	81
Grove,	13	11	7	163 73	467 87	496	496
Haight,	7	6	5	80 50	.....	307	228
Hume,	8	8	6	87 09	133 59	268	268
Independence,	11	7	5	93 96	137 15	264	259
Nunda,	12	11	7	213 80	282 00	550	446
Ossian,	7	6	6	95 56	166 48	254	298
Pike,	14	14	7	204 32	740 67	805	740
Portage,	12	9	7	202 21	549 75	851	662
Rushford,	12	12	5	115 77	163 67	444	396
Scio,	8	4	5	84 53	31 13	167	161
	245	208	6	3137 84	5550 93	9896	8630

BROOME COUNTY.

Barker,	9	8	6	114 30	218 52	358	334
Chenango,	30	19	7	381 45	637 50	943	991
Colesville,	15	14	6	280 65	399 03	767	627
Conklin,	8	8	5	77 00	.....	255	308
Lisle,	9	9	7	134 48	298 54	497	434
Nanticoke,	5	3	5	32 60	28 08	70	63
Sanford,	11	9	5	169 02	76 43	258	251
Triangle,	15	15	7	170 35	396 53	645	558
Union,	14	13	7	212 99	523 54	727	664
Vestal,	7	6	6	97 38	253 53	299	303
Windsor,	18	15	6	371 34	336 99	756	644
	141	119	6	2041 56	3168 69	5575	5177

CATTARAUGUS COUNTY.

Ashford,	6	5	5	66 80	90 00	201	201
Burton,	5	4	5	37 37	67 18	182	155
Connewango,	17	12	7	173 62	357 90	605	544
Ellicottville,	6	4	7	80 61	140 27	254	221
Farmersville,	11	9	6	131 06	202 83	331	332
Franklinville,	10	7	7	212 26	241 04	374	310
Freedom,	15	11	7	194 09	364 46	497	516
Great-Valley,	5	5	5	70 14	121 47	170	150
Hinsdale,	18	10	5	94 87	179 62	367	280

CATTARAUGUS COUNTY, (Continued.)

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Leon,*							
Little-Valley, ...	4	4	6	58 59	116 27	142	128
Lyndon, ...	3	3	5	39 80	72 20	132	86
Machias, ...	7	7	5	91 34	142 82	286	242
Mansfield, ...	6	4	4	38 28	51 33	138	102
Napoli, ...	10	8	4	81 00	167 69	328	271
New-Albion, ...	8	4	4	34 89	42 17	107	82
Olean, ...	4	2	8	79 24	91 85	84	90
Otto, ...	12	10	6	138 13	169 62	440	383
Perrysburgh, ...	21	16	6	283 26	512 45	757	699
Randolph, ...	7	6	6	81 62	185 97	271	244
Yorkshire, ...	5	5	6	94 84	191 35	352	244
	180	136	6	2081 81	3508 49	6018	5280

CAYUGA COUNTY.

Auburn, ...	7	7	8	857 00	414 80	660	793
Aurelius, ...	14	12	8	303 63	385 45	776	871
Brutus, ...	10	10	8	290 36	363 91	648	660
Cato, ...	11	11	7	208 78	459 68	591	648
Conquest, ...	10	10	6	177 23	282 61	489	490
Fleming, ...	7	7	8	180 13	394 34	498	445
Genoa, ...	16	16	9	779 72	913 14	967	826
Ira, ...	14	14	7	270 45	517 08	1035	727
Ledyard, ...	14	14	8	484 48	344 67	774	677
Locke, ...	21	21	8	355 25	555 41	1104	1054
Mentz, ...	16	16	8	646 61	744 34	1128	1246
Owasco, ...	7	7	9	252 39	329 65	350	383
Scipio, ...	14	14	9	549 24	645 42	930	826
Sempronius, ...	31	31	8	829 50	1034 37	2154	1823
Sennet, ...	13	13	9	471 84	408 45	693	660
Springport, ...	8	8	8	354 70	536 59	549	525
Sterling, ...	11	11	8	141 60	357 98	620	533
Summer Hill,†							
Venice, ...	14	14	9	533 63	343 30	858	731
Victory, ...	13	11	6	209 46	217 92	591	511
	251	247	8	7896 00	9249 11	15415	14429

* Included in Connewango.
† Included in Locke.

CHAUTAUQUE COUNTY.

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Arkwright, ...	10	8	6	122 03	191 05	269	255
Busti,.....	14	14	6	160 98	398 91	723	603
Carroll, ...	6	6	4	94 52	126 32	318	269
Charlotte, ...	10	10	5	77 96	241 98	294	311
Chautauque, ...	16	14	7	214 74	565 28	692	610
Cherry-Creek,.....	6	4	6	45 68	150 40	210	196
Clymer, ...	6	2	5	40 34	92 15	169	143
Ellery,.....	14	13	7	178 92	454 06	766	628
Ellicott,.....	11	11	6	230 67	396 44	568	541
Ellington, ...	11	10	7	149 14	348 56	443	428
French-Creek,.....	5	5	5	29 85	66 83	138	142
Gerry, ...	9	9	7	97 62	393 88	410	388
Hanover,.....	16	16	7	245 15	691 38	914	1149
Harmony, ...	15	15	5	218 14	454 19	814	752
Mina, ...	15	9	5	141 39	194 77	407	311
Poland,*.....							
Pomfret,.....	18	18	7	311 31	700 71	1118	1169
Portland, ...	15	13	7	253 31	408 20	705	605
Ripley, ...	10	8	7	157 91	407 66	534	527
Sheridan, ...	12	12	7	173 38	355 10	598	546
Sherman,†							
Stockton,.....	11	11	7	128 24	274 51	609	510
Villenova, ...	14	9	6	103 52	204 14	375	266
Westfield, ...	21	15	6	212 10	594 80	859	735
	265	232	6	3386 90	7711 32	11933	11084

CHENANGO COUNTY.

Bainbridge, ...	22	21	7	789 06	543 66	1066	899
Columbus, ...	14	14	6	301 96	819 90	587	488
Coventry, ...	10	9	7	226 69	226 99	527	469
Guilford, ...	19	16	8	332 65	666 71	892	797
German,.....	9	9	6	142 63	120 97	368	278
Green, ...	19	19	7	504 49	501 47	982	980
Lincklaen, ...	9	9	7	229 05	137 07	531	406
Macdonough, ...	10	10	6	298 00	17 62	488	393
New-Berlin, ...	16	15	7	389 89	501 73	977	883
Norwich,.....	29	26	8	403 80	795 26	1223	1097
Otselic,.....	11	11	6	363 75	75 62	478	422

* Included in Ellicott.
† Included in Mina.

CHENANGO COUNTY, (Continued.)

Towns and Counties.	Number of districts.	No. districts returned	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Oxford,	19	19	7	372 82	788 74	907	892
Pharsalia,	8	8	6	241 54	50 62	462	340
Pitcher,	10	10	6	186 96	115 70	468	392
Plymouth,	15	15	6	317 62	177 96	656	520
Preston,	11	10	6	206 53	221 81	371	336
Sherburne,	18	18	8	401 01	632 66	873	731
Smithville,	13	13	7	214 42	282 52	700	608
Smyrna,	16	16	7	270 50	316 36	658	612
	278	268	7	6193 37	6493 27	13223	11508

CLINTON COUNTY.

Beekmanstown,	13	13	7	389 46	531 33	712	642
Champlain,	13	11	7	353 63	450 51	485	708
Chazy,	17	17	7	454 56	502 62	933	989
Ellenburgh,	8	5	5	41 86	115 73	170	142
Mooers,	6	5	7	130 42	108 54	224	242
Peru,	24	22	8	752 26	907 27	1429	1388
Plattsburgh,	19	17	8	793 90	955 07	1131	1434
Saranac,	4	4	5	49 00	5 38	175	188
	104	94	7	2965 09	3576 45	5259	5728

COLUMBIA COUNTY.

Ancram,	11	11	9	188 64	367 13	489	516
Austerlitz,	16	16	8	255 97	600 09	820	663
Canaan,	10	10	9	234 22	557 57	627	567
Chatham,	19	19	9	402 20	1018 85	1098	1001
Claverack,	13	13	10	342 02	1032 07	646	860
Clermont,	7	7	10	147 72	576 92	276	419
Copake,	9	9	10	202 82	514 93	482	493
Gallatin,	7	7	8	167 35	525 30	338	532
Germantown,	5	5	10	107 29	407 16	233	299
Ghent,	15	15	9	287 13	843 12	728	727
Hillsdale,	16	16	9	275 23	937 59	668	752
Hudson,	5	5	10	176 74	596 22	264	1534
Kinderhook,	10	10	10	293 84	771 66	552	847
Livingston,	9	9	9	245 98	622 33	495	596
New-Lebanon,	15	15	8	263 03	707 43	860	695

COLUMBIA COUNTY, (CONTINUED.)

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Stuyvesant, ...	6	6	10	233 70	616 95	519	809
Taghkanick, ...	9	9	9	190 93	199 72	411	538
	182	182	9	4014 81	10894 44	9566	11848

CORTLAND COUNTY.

Cincinnatus, ...	9	9	8	200 53	129 93	452	396
Cortlandville, ...	20	20	8	511 77	631 87	1163	1065
Freetown, ...	8	7	8	144 52	207 08	411	349
Homer, ...	18	18	7	487 63	617 45	1116	944
Marathon, ...	7	6	8	149 91	131 95	324	259
Preble, ...	12	12	7	275 40	166 54	474	435
Scott, ...	9	9	6	184 88	180 64	488	452
Solon, ...	13	13	7	302 02	345 13	688	580
Truxton, ...	32	31	7	662 33	622 64	1384	1210
Virgil, ...	27	27	7	560 25	565 70	1434	1245
Willett, ...	8	7	7	79 64	129 56	257	230
	163	159	7	3558 88	3728 49	8191	7165

DELAWARE COUNTY.

Andes, ...	13	13	6	208 70	216 21	539	618
Bovina, ...	8	8	7	147 32	168 50	398	406
Colchester, ...	11	7	7	177 95	199 39	316	356
Davenport, ...	11	11	6	195 49	234 47	512	611
Delhi, ...	15	14	7	223 17	449 82	622	584
Franklin, ...	24	19	7	292 86	512 19	890	760
Hamden, ...	8	8	7	121 00	300 88	523	463
Hancock, ...	12	7	5	80 32	122 12	209	204
Harpersfield, ...	13	12	8	221 63	400 67	548	577
Kortright, ...	21	21	7	320 79	537 61	1064	889
Masonville, ...	10	10	7	112 31	357 64	447	329
Meredith, ...	15	15	7	180 32	406 53	646	496
Middletown, ...	14	14	6	254 99	287 70	789	750
Roxbury, ...	20	19	8	349 56	703 86	1056	978
Sidney, ...	10	10	7	143 80	322 63	442	418
Stamford, ...	10	10	8	235 44	290 62	515	457
Tompkins, ...	19	16	6	188 13	350 79	583	503
Walton, ...	12	12	8	177 36	374 91	522	427
	246	226	7	3631 14	6236 54	10621	9826

DUTCHESS COUNTY.

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Amenia,	12	12	9	248 64	700 89	627	570
Beekman,	8	8	9	165 08	715 83	538	626
Clinton,	11	11	9	256 00	613 38	432	502
Dover,	12	12	9	229 00	572 56	663	553
Fishkill,	27	27	10	866 89	3675 75	1687	2296
Hyde-Park,	9	8	10	266 12	583 05	419	575
La Grange,	10	10	9	213 00	1041 86	531	530
Milan,	12	12	9	196 52	720 78	466	573
North-East,	11	11	10	176 00	749 59	555	458
Pawling,	8	8	9	177 66	327 59	375	300
Pine-Plains,	8	7	9	156 64	20 56	369	367
Pleasant-Valley,	11	10	9	252 08	578 65	458	590
Poughkeepsie,	10	9	9	750 00	656 58	388	1822
Red-Hook,	13	10	9	310 82	589 63	438	780
Rhinebeck,	10	10	10	306 14	1049 95	604	876
Stanford,	13	13	9	308 61	836 24	711	609
Union-Vale,	7	7	9	191 00	374 34	409	419
Washington,	14	13	9	316 36	633 61	698	773
	206	198	9	5386 56	14440 84	10368	13219

ERIE COUNTY.

Alden,	8	8	7	163 61	147 67	458	440
Amherst,	9	8	7	216 64	444 75	480	513
Aurora,	14	14	8	232 97	644 89	938	803
Buffalo,	19	13	9	768 88	981 73	1073	1675
Boston,	9	9	6	185 83	290 34	455	521
Clarence,	17	16	7	479 69	716 76	1182	1147
Colden,	7	7	6	66 88	138 78	208	186
Concord,	14	13	7	280 90	283 55	702	704
Collins,	20	17	8	211 10	619 93	1005	846
Eden,	8	7	6	164 06	202 72	403	533
Evans,	14	12	7	156 74	412 13	685	544
Hamburgh,	25	21	8	503 65	820 74	1163	1131
Holland,	6	5	5	162 25	115 34	285	239
Newstead,	14	11	7	270 24	332 67	613	555
Sardinia,	15	14	6	191 38	252 35	598	445
Wales,	11	11	7	219 54	329 92	603	547
	210	186	7	4274 31	6734 27	10851	10823

ESSEX COUNTY.

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16
Chesterfield,	10	10	6	159 16	478 87	493	464
Crownpoint,	12	12	6	214 14	352 72	759	653
Essex,	10	10	7	177 54	.....	533	470
Elizabethtown,	5	5	7	117 27	329 86	428	329
Jay,	9	9	7	166 06	301 94	468	478
Keene,	6	4	6	85 18	80 00	240	208
Lewis,	13	13	6	136 52	286 20	458	397
Minerva,	5	5	3	38 53	83 04	110	97
Moriah,	12	11	7	168 16	398 93	590	518
Newcomb,	1	1	4	6 54	5 46	16	20
Schroon,	14	13	6	298 58	267 96	533	431
Ticonderoga,	13	11	6	217 38	369 00	675	679
Westport,	12	12	7	164 62	343 31	547	456
Willsborough,	11	8	7	140 31	306 39	418	353
Wilmington,	6	5	5	76 02	76 13	244	200
	139	129	6	2166 01	3679 81	6512	5753

FRANKLIN COUNTY.

Bangor,	8	7	6	146 16	251 49	262	319
Brandon,	3	3	6	38 96	28 92	111	106
Chateaugay,	21	16	6	276 27	313 17	585	594
Constable,	6	6	6	99 59	290 34	314	245
Dickinson,	6	6	5	88 46	66 84	170	142
Duane,	1	1	3	28 76	.....	40	78
Fort-Covington,	17	14	7	549 50	422 59	712	783
Malone,	14	14	6	302 80	454 21	643	626
Moira,	6	5	6	164 23	77 33	243	222
Westville,	6	5	7	94 30	121 14	217	190
	88	77	6	1789 03	2026 03	3297	3306

GENESEE COUNTY.

Alabama,	11	6	6	98 68	162 32	286	278
Alexander,	14	13	8	239 31	562 55	763	677
Attica,	13	13	7	246 64	654 71	967	876
Batavia,	20	18	7	635 13	678 92	1131	1169
Bethany,	15	15	8	258 21	857 12	943	719
Bergen,	9	9	8	160 81	483 44	471	429
Bennington,	18	16	7	304 85	547 31	875	815
Byron,	12	12	8	206 40	589 37	773	589

GENESEE COUNTY, (Continued.)

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Castile,	14	14	7	214 89	545 83	786	740
China,	21	16	7	309 49	616 39	862	821
Covington,	18	18	9	445 08	934 84	1050	886
Darien,*							
Elba,	17	17	8	351 17	621 74	1068	847
Gainesville,	17	17	8	185 55	459 58	781	634
Java,†							
Le Roy,	18	18	9	490 84	927 61	1298	1183
Middlebury,	16	16	7	253 67	529 22	804	803
Orangeville,	11	11	6	153 01	394 16	592	550
Pembroke,	28	24	7	587 35	720 24	1493	1320
Perry,	14	14	9	292 22	787 49	914	899
Stafford,	13	13	8	271 89	572 63	872	748
Sheldon,	9	9	7	166 52	398 76	616	535
Warsaw,	13	13	7	356 84	537 73	903	827
Wethersfield,	7	6	8	163 23	243 02	475	435
	228	208	8	6391 78	12824 98	18723	16771

GREENE COUNTY.

Athens,	6	6	9	252 42	226 27	308	615
Cairo,	17	15	8	315 16	495 37	787	721
Catskill,	15	15	9	505 71	792 46	998	1637
Coxsackie,	14	10	10	363 04	991 17	717	844
Durham,	18	18	8	355 06	625 08	911	837
Greenville,	13	13	9	282 36	652 10	799	755
Hunter,	14	14	7	287 91	424 68	660	557
Lexington,	21	20	8	407 55	514 60	881	776
New-Baltimore,	15	15	8	258 78	769 92	725	704
Windham,	22	20	7	367 05	791 98	1134	988
	155	146	8	3395 04	6283 63	7920	8434

HERKIMER COUNTY.

Columbia,	13	13	8	248 42	529 38	645	654
Danube,	7	7	8	201 75	344 80	447	489
Fairfield,	15	14	7	267 26	390 71	599	614
Frankfort,	14	14	8	279 97	464 70	979	869

* Included in Pembroke.
† Included in China.

HERKIMER COUNTY, (CONTINUED.)

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Germanflatts,	14	14	10	264 24	638 37	729	782
Herkimer,	12	12	8	261 02	721 72	729	786
Litchfield,	11	11	7	196 38	333 71	595	491
Little-Falls,	8	8	8	260 16	282 31	599	681
Manheim,	11	11	8	214 80	374 75	483	742
Newport,	11	11	7	194 13	399 42	605	578
Norway,	9	7	7	200 43	165 48	345	292
Russia,	16	13	7	328 05	258 88	726	699
Salisbury,	12	12	7	222 11	441 45	755	604
Schuyler,	11	11	8	227 79	426 58	659	674
Stark,	8	8	9	185 88	497 09	560	599
Warren,	11	11	9	248 72	532 95	567	626
West-Brunswick,	6	5	5	101 84	112 83	194	210
Winfield,	8	8	8	185 26	529 73	563	495
	197	190	8	4088 21	7394 86	10779	10885

JEFFERSON COUNTY.

Adams,	15	15	8	305 48	672 87	965	908
Antwerp,	18	14	6	407 85	379 05	631	638
Alexandria,	14	11	8	175 83	368 57	523	560
Brownville,	19	15	7	314 38	977 14	1050	997
Champion,	13	12	7	248 82	505 67	865	707
Ellisburgh,	29	29	7	571 63	1140 30	1889	1550
Henderson,	15	15	8	256 17	736 43	943	821
Hounsfield,	13	13	8	380 05	1202 64	932	1044
Le Ray,	16	16	8	498 30	885 33	1144	1105
Lorraine,	13	12	6	265 04	260 38	622	546
Lyme,	17	16	6	470 28	552 58	634	844
Orleans,	21	14	7	414 10	672 67	919	859
Pamelia,	13	13	7	366 48	572 03	713	816
Philadelphia,	8	6	8	114 50	236 88	396	359
Rodman,	13	12	7	207 46	487 32	570	525
Rutland,	17	17	7	384 64	442 89	845	697
Watertown,	22	18	7	462 54	1301 07	1204	1310
Wilna,	11	10	7	225 35	351 43	525	559
	287	258	7	6068 90	11745 25	15370	14865

KINGS COUNTY.

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Brooklyn,	8	7	10	1335 14	916 02	943	3532
Bushwick,	5	2	4	118 54	15 50	40	55
Flatbush,	2	2	12	124 45	.....	60	129
Flatlands,	2	2	12	60 74	750 00	70	159
Gravesend,	2	2	12	49 40	309 64	62	146
New Utrecht,	5	5	12	121 50	733 76	164	259
	24	20	10	1809 77	2724 92	1339	4280

LEWIS COUNTY.

Denmark,	13	13	7	241 32	371 98	665	634
Diana,	5	4	5	30 69	47 17	78	113
Greig,	6	6	6	109 49	167 18	222	208
Harrisburgh,	8	8	6	126 52	102 71	247	275
Leyden,	11	11	6	149 76	305 00	475	459
Lowville,	12	11	7	251 95	644 96	771	637
Martinsburgh,	15	13	8	244 73	605 29	769	722
Pinckney,	7	6	5	122 95	134 04	250	249
Turin,	10	10	8	207 97	381 47	540	534
Watson,	8	8	5	79 36	95 74	235	323
West Turin,	12	12	7	203 92	255 72	432	491
	107	102	7	1768 66	3111 26	4684	4645

LIVINGSTON COUNTY.

Avon,	14	14	9	442 77	586 44	695	687
Caledonia,	9	9	8	174 15	640 55	549	482
Conesus,	9	8	7	171 06	273 14	501	441
Geneseo,	13	12	8	492 79	535 41	784	824
Groveland,	9	9	7	286 89	487 11	458	564
Leicester,	14	12	7	324 57	772 45	694	627
Lima,	10	9	9	200 81	532 68	531	535
Livonia,	14	14	9	286 99	722 69	822	817
Mount Morris,	16	12	8	365 28	488 05	845	836
Sparta,	21	21	7	600 28	1014 33	1400	1369
Springwater,	13	13	7	221 40	412 19	816	837
York,	14	13	9	405 20	809 03	876	768
	156	146	8	3972 19	7274 07	8971	8787

MADISON COUNTY.

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Brookfield,	27	27	7	890 60	382 78	1519	1291
Cazenovia,	20	19	8	704 15	591 27	1151	1122
De Ruyter,	7	7	8	163 18	298 34	500	432
Eaton,	20	20	8	490 47	568 46	1253	1078
Fenner,	11	11	8	344 24	428 88	758	634
Georgetown,	9	9	7	247 31	104 73	386	333
Hamilton,	17	17	7	419 09	543 68	1050	897
Lebanon,	12	12	9	331 25	363 58	813	618
Lenox,	26	24	8	529 53	950 27	1535	1530
Madison,	19	19	7	408 32	413 38	862	721
Nelson,	13	13	7	342 04	252 52	857	701
Smithfield,	13	12	8	336 40	373 04	875	757
Sullivan,	19	19	8	406 02	1097 30	1173	1265
	213	209	8	5612 60	6368 23	12732	11389

MONROE COUNTY.

Brighton,	13	13	9	594 39	736 15	1089	1773
Chili,	13	13	8	329 73	754 96	710	612
Clarkson,	16	16	7	491 87	537 37	1041	1066
Gates,	12	12	8	919 41	853 56	1098	2117
Greece,	14	13	7	228 46	535 08	649	757
Henrietta,	13	14	7	384 53	619 23	715	694
Mendon,	16	16	9	329 46	558 08	1073	999
Ogden,	14	14	7	361 64	616 29	721	686
Parma,	15	15	7	372 44	638 05	920	842
Penfield,	21	20	8	485 61	1161 57	1540	1497
Perrinton,	13	13	8	379 60	464 41	865	722
Pittsford,	9	9	8	311 77	447 30	603	542
Riga,	15	14	8	206 83	575 16	674	572
Rush,	12	11	9	237 73	553 99	715	642
Sweden,	15	15	8	438 46	684 44	1046	962
Wheatland,	9	9	9	329 28	694 69	678	597
	220	217	8	6401 21	10430 33	14137	15082

MONTGOMERY COUNTY.

Amsterdam,	18	15	8	340 75	690 96	748	934
Bleecker,	4	3	7	38 00	43 70	72	72
Broadalbin,	14	13	8	269 91	606 84	680	741
Canajoharie,	17	14	10	446 23	1087 94	1122	1257

MONTGOMERY COUNTY, (Continued.)

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Charleston, ...	10	9	8	218 23	358 90	637	664
Ephratah, ...	13	13	6	184 72	335 45	485	618
Florida, ...	12	11	9	295 72	763 21	644	835
Glen, ...	9	9	9	249 02	568 87	548	715
Hope, ...	6	5	7	84 58	93 66	253	207
Johnstown, ...	31	30	9	765 53	1699 83	1564	2045
Lake-Pleasant, ...	4	4	4	40 20	13 20	62	60
Mayfield, ...	15	15	7	265 57	551 12	794	778
Minden, ...	11	10	9	267 48	449 04	539	774
Northampton, ...	11	10	7	145 00	258 60	404	387
Oppenheim, ...	19	19	7	376 75	733 78	1137	1297
Palatine, ...	10	10	10	286 02	972 18	531	829
Root, ...	14	14	9	386 56	570 02	685	878
Stratford, ...	5	5	6	52 49	92 30	179	173
Wells, ...	4	4	4	34 53	14 75	116	133
	227	213	8	4747 29	9904 35	11200	13392

NEW-YORK COUNTY.

New-York, ...	30	30	12	90748 86	.....	4553	.....

NIAGARA COUNTY.

Cambria, ...	9	9	7	165 66	468 58	736	611
Hartland, ...	12	10	6	183 19	353 70	559	510
Lewiston, ...	9	6	8	157 06	.....	357	439
Lockport, ...	16	16	7	483 23	705 73	1222	1253
Newfane, ...	12	8	6	132 09	271 43	351	385
Niagara, ...	12	12	6	213 67	229 95	339	421
Pendleton, ...	8	7	5	104 58	92 17	191	202
Porter, ...	6	5	8	222 55	329 25	325	336
Royalton, ...	16	16	8	315 41	940 19	1283	1028
Somerset, ...	8	8	7	115 59	267 48	402	305
Wilson, ...	9	8	5	156 28	93 78	208	275
	117	105	7	2249 31	3752 26	5973	5765

ONEIDA COUNTY.

Annsville, ...	10	10	7	221 17	183 86	473	487
Augusta, ...	16	15	9	339 40	832 58	1000	878
Boonville, ...	21	18	6	337 22	359 13	825	884

ONEIDA COUNTY, (CONTINUED.)

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Bridgewater,	11	11	7	258 12	262 93	518	424
Camden,	13	11	6	200 19	216 86	585	541
Deerfield,	19	19	7	423 93	670 41	1175	1260
Florence,	11	10	6	159 49	111 41	291	315
Floyd,	12	12	8	281 15	340 01	595	538
Kirkland,	15	14	8	297 97	588 42	685	701
Lee,	13	13	7	387 95	344 30	871	767
Marcy,*							
Marshall,	13	12	8	233 01	345 49	546	469
New-Hartford,	16	15	9	382 12	968 00	932	1046
Paris,	15	15	9	284 49	650 89	898	818
Remsen,	8	8	7	264 37	156 31	434	448
Rome,	19	17	7	445 57	521 08	978	1099
Sangerfield,	12	12	7	304 23	551 47	713	645
Steuben,	15	14	7	212 86	337 01	656	672
Trenton,	16	15	8	290 00	648 89	841	823
Utica,	1	1	12	623 56	.....	140	1906
Vernon,	17	17	8	333 13	734 50	876	905
Verona,	21	18	7	370 80	478 67	1246	1146
Vienna,	14	10	8	183 59	291 50	458	483
Western,	17	17	7	396 97	494 39	858	776
Westmoreland,	14	14	8	410 01	631 77	1023	901
Whitestown,	11	10	9	415 40	768 42	824	1187
	350	328	8	8056 70	11488 30	18441	20119

ONONDAGA COUNTY.

Camillus,	13	13	8	260 66	457 64	787	807
Cicero,	12	12	7	278 25	217 91	678	568
Clay,	13	9	6	519 37	144 92	576	608
Elbridge,	14	13	9	374 90	401 67	949	977
Fabius,	20	20	7	516 58	511 67	1176	992
La Fayette,	12	12	8	412 52	576 81	804	774
Lysander,	23	16	7	354 18	485 24	1064	1078
Manlius,	30	29	9	1598 90	770 83	2098	2316
Marcellus,	14	14	9	487 99	494 55	923	786
Onondaga,	32	28	7	697 14	1240 45	1695	1523
Otisco,	11	11	9	385 03	309 63	692	597
Pompey,	22	22	9	927 49	988 58	1496	1387
Skaneatelas,	17	17	9	716 05	527 89	1048	1112

* Included in Deerfield.

ONONDAGA COUNTY, (Continued.)

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Spafford, ...	15	14	8	472 80	501 96	910	856
Salina, ...	13	11	8	898 00	826 68	1028	1774
Tully, ...	12	10	7	275 18	234 03	510	460
Van Buren, ...	16	15	8	301 14	540 88	898	931
	289	266	8	9476 18	9231 34	17332	17546

ONTARIO COUNTY.

Bloomfield, ...	23	23	8	649 14	1299 80	1245	1109
Bristol, ...	24	22	6	320 32	578 54	980	895
Canadice, ...	9	8	6	158 28	239 35	430	381
Canandaigua, ...	21	21	8	546 05	1568 34	1475	1294
Farmington, ...	13	12	7	206 88	409 27	656	512
Gorham, ...	17	17	8	465 31	809 30	899	932
Hopewell, ...	10	10	8	265 65	657 04	726	662
Manchester, ...	16	16	8	309 42	693 29	905	822
Naples, ...	11	11	7	185 33	528 73	653	587
Phelps, ...	27	26	9	540 68	1773 57	1450	1522
Richmond, ...	12	11	8	204 66	684 77	700	514
Seneca, ...	22	20	8	698 53	1410 50	1730	1930
Victor, ...	14	13	8	384 56	454 94	792	705
	219	210	8	4934 81	11107 44	12641	11865

ORANGE COUNTY.

Blooming-Grove, ..	13	11	9	249 06	703 74	595	595
Calhoun, ...	6	6	11	180 28	427 29	440	444
Cornwall, ...	8	8	9	368 45	721 23	527	751
Crawford, ...	12	12	10	230 03	904 58	644	643
Deer-Park, ...	7	6	10	120 38	452 57	285	321
Goshen, ...	15	13	10	361 94	2532 08	840	885
Hamptonburgh, ...	7	7	9	171 11	319 35	355	371
Minisink, ...	24	24	9	550 78	2194 43	1468	1580
Montgomery, ...	14	14	10	436 03	1843 51	872	1099
Monroe, ...	12	11	8	388 35	754 80	576	776
Newburgh, ...	14	13	10	762 14	.....	1062	1742
New-Windsor, ...	11	10	8	279 31	819 07	577	594
Walkill, ...	17	17	9	481 65	862 65	1191	1195
Warwick, ...	28	19	10	547 91	1840 71	1148	1274
	188	171	9	5127 42	14376 01	10570	12270

ORLEANS COUNTY.

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Barre,	25	25	8	704 46	1152 43	1777	1444
Carlton,	11	11	6	104 10	315 82	519	426
Clarendon,	13	13	8	341 01	457 90	850	692
Gaines,	11	11	8	208 88	423 02	622	580
Murray,	19	19	7	434 32	850 52	1072	917
Ridgeway,	14	14	8	271 33	674 55	873	724
Shelby,	14	14	7	349 60	378 56	713	725
Yates,	10	10	6	210 49	394 86	525	505
	117	117	7	2624 19	4647 66	6951	6013

OSWEGO COUNTY.

Albion,	7	6	5	57 80	157 51	204	289
Amboy,	7	7	5	91 69	117 38	229	237
Boyleston,	4	4	5	41 68	38 02	159	130
Constantia,	14	11	6	120 15	240 34	331	383
Granby,	12	12	6	298 16	248 88	571	514
Hannibal,	13	12	7	301 89	215 35	641	634
Hastings,	10	10	6	104 51	347 02	534	600
Mexico,	16	15	6	254 83	433 24	845	818
New-Haven,	9	8	7	148 77	303 13	546	459
Orwell,	5	5	6	74 99	83 28	195	158
Oswego,	11	10	5	429 67	293 00	445	746
Palermo,*							
Parish,	9	7	6	83 73	112 90	303	315
Redfield,	5	2	5	73 37	15 12	78	83
Richland,	18	16	7	265 44	493 46	933	858
Sandy-Creek,	13	13	7	295 63	451 42	738	671
Schroeppel,*							
Scriba,	13	9	6	241 40	257 04	513	647
Volney,	27	24	6	336 20	749 50	1263	1262
Williamstown,	5	4	6	63 14	93 20	200	185
	198	175	6	3283 05	4649 79	8728	8939

OTSEGO COUNTY.

Burlington,	11	11	9	269 11	444 43	846	725
Butternuts,	26	24	9	441 25	855 69	1432	1250

* Included in Volney.

OTSEGO COUNTY, (Continued.)

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Cherry-Valley, ...	24	22	7	453 16	788 15	1269	1235
Decatur, ...	7	7	7	123 47	209 11	353	347
Edmeston, ...	15	15	7	470 03	228 58	650	580
Exeter, ...	10	8	7	195 52	265 47	487	417
Hartwick, ...	16	14	7	306 78	658 21	815	732
Laurens, ...	16	16	6	248 99	365 56	701	655
Maryland, ...	13	13	6	233 71	310 64	631	591
Middlefield, ...	21	19	7	348 32	556 80	913	889
Milford, ...	14	14	7	212 94	227 30	625	647
New-Lisbon, ...	14	14	7	245 27	494 90	819	699
Oneonta, ...	9	9	8	198 18	228 86	509	523
Otego, ...	15	15	6	231 59	477 94	782	687
Otsego, ...	20	20	8	474 35	1001 60	1302	1212
Pittsfield, ...	8	6	6	108 54	119 40	298	323
Plainfield, ...	8	8	10	185 91	377 35	583	484
Richfield, ...	12	11	8	236 82	465 87	595	490
Springfield, ...	14	14	8	305 80	483 10	941	856
Unadilla, ...	16	16	8	238 36	.....	754	751
Westford, ...	8	8	8	177 76	292 66	550	505
Worcester, ...	16	15	6	248 77	374 23	682	692
	313	299	7	5954 63	9225 85	16537	15290

PUTNAM COUNTY.

Carmel, ...	13	11	10	259 58	549 33	539	632
Kent, ...	11	10	8	211 43	511 25	633	679
Patterson, ...	11	11	9	177 28	409 34	519	439
Philipstown, ...	24	22	7	524 21	1072 95	958	1516
Southeast, ...	13	12	9	223 32	681 86	576	574
	72	66	8	1395 82	3224 73	3225	3840

QUEENS COUNTY.

Flushing, ...	8	8	8	145 56	580 95	294	755
Hempstead, ...	18	17	9	665 34	1285 65	907	1914
Jamaica, ...	8	8	11	278 89	942 73	408	751
Newtown, ...	8	5	11	295 98	1200 75	331	453
North-Hempstead, ..	10	9	9	342 02	915 98	381	758
Oyster-Bay, ...	23	17	9	676 85	1575 65	929	1511
	75	64	10	2404 64	6501 71	3250	6142

RENSSELAER COUNTY.

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Berlin,	9	9	6	227 18	247 34	577	559
Brunswick,	15	15	9	286 12	1076 86	791	797
Greenbush,	15	14	9	335 10	865 00	701	986
Grafton,	11	11	6	196 12	219 30	328	516
Hoosick,	21	21	7	400 77	1038 34	1452	1222
Lansingburgh,	4	4	11	287 25	340 59	341	727
Nassau,	14	14	8	361 33	687 59	1107	915
Petersburgh,	16	16	5	232 84	371 73	687	575
Pittstown,	17	15	9	422 68	1094 92	1045	1018
Sand-Lake,	20	18	8	378 02	762 13	1156	1097
Schaghticoke,	14	13	9	335 73	794 36	919	919
Schodack,	21	17	10	412 64	981 57	865	958
Stephentown,	17	17	8	309 32	482 60	814	758
Troy,	5	5	10	1084 76	571 23	787	2580
	199	189	8	5269 86	9533 56	11520	13627

RICHMOND COUNTY.

Castletown,	5	5	11	222 45	222 45	408	674
Northfield,	6	6	11	218 96	885 67	360	628
Southfield,	5	5	9	200 64	537 00	232	575
Westfield,	4	4	10	169 81	662 64	381	466
	20	20	10	811 86	2307 76	1381	2343

ROCKLAND COUNTY.

Clarkstown,	9	9	11	255 49	1405 04	500	618
Haverstraw,	6	6	8	244 30	588 40	312	631
Orangetown,	9	9	11	189 15	948 65	288	456
Ramapo,	12	10	11	293 53	1013 40	546	759
	36	34	10	982 47	3955 49	1646	2464

SARATOGA COUNTY.

Ballston,	11	10	8	220 18	632 67	638	586
Charlton,	9	10	9	223 65	529 35	593	575
Clifton-Park,	12	12	9	296 56	809 99	809	755
Corinth,	8	8	5	156 52	90 98	380	332
Day,	5	5	5	110 00	63 06	231	231
Edinburgh,	12	11	6	98 35	165 62	503	464
Galway,	16	15	9	296 96	799 55	838	714

SARATOGA COUNTY, (Continued.)

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Greenfield,	22	22	5	368 17	556 82	1074	908
Hadley,	6	5	6	101 53	65 98	261	276
Half-Moon,	9	9	9	232 96	727 44	548	647
Malta,	8	8	8	187 80	356 62	480	465
Milton,	13	12	9	330 29	718 49	735	825
Moreau,	12	10	7	187 78	394 23	485	480
Northumberland,	10	9	7	128 02	391 15	453	461
Providence,	10	10	6	180 14	460 52	686	485
Saratoga,	13	11	8	253 62	510 29	359	420
Saratoga Springs,	9	8	7	241 89	390 05	489	633
Stillwater,	13	13	8	295 08	689 07	720	709
Waterford,	2	2	11	158 58	502 33	270	403
Wilton,	6	6	7	154 00	284 89	371	372
	206	196	8	4222 08	9139 10	10923	10741

SCHENECTADY COUNTY.

Duanesburgh,	18	18	7	295 50	623 20	1067	1046
Glenville,	12	12	9	260 30	364 81	736	845
Niskayuna,	4	4	10	46 55	175 95	141	148
Princeton,	5	5	8	85 34	165 31	258	289
Rotterdam,	10	8	8	154 22	418 28	343	497
Schenectady city,	3	3	9	76 03	93 49	95	268
	52	50	9	917 94	1841 04	2640	3093

SCHOHARIE COUNTY.

Blenheim,	15	12	7	233 85	324 12	595	665
Broome,	22	22	6	355 81	431 45	1180	988
Carlisle,	9	9	10	191 48	337 81	460	572
Cobleskill,	14	14	9	325 18	538 90	747	924
Fulton,	15	15	7	191 75	262 08	459	584
Jefferson,	13	13	7	193 38	367 50	577	632
Middleburgh,	14	13	8	340 33	450 22	725	904
Schoharie,	24	24	9	533 75	1307 98	1397	1596
Sharon,	21	20	9	480 85	1126 63	1049	1317
Summit,	12	12	7	188 29	144 44	513	607
	159	154	8	3034 67	5291 13	7702	8789

SENECA COUNTY.

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Covert,	12	12	9	484 39	354 96	598	573
Fayette,	16	16	8	872 67	821 69	1017	1167
Junius,	10	9	9	211 88	459 62	506	511
Lodi,	9	9	9	513 16	302 70	673	658
Ovid,	12	12	10	747 82	618 53	764	867
Romulus,	13	13	9	245 66	354 00	781	689
Seneca Falls,	11	11	8	314 27	758 80	769	821
Tyre,	8	8	7	208 35	368 14	530	517
Varick,	10	10	9	415 00	589 74	713	634
Waterloo,	9	6	10	238 09	674 22	500	475
	110	106	9	4251 29	5302 40	6851	6912

ST. LAWRENCE COUNTY.

Brasher,	8	6	5	101 74	93 60	147	250
Canton,	15	14	8	542 94	373 46	791	720
De Kalb,	9	9	6	268 91	124 95	360	351
Depau,	6	5	5	84 80	119 41	256	254
De Peyster,	7	6	6	139 78	128 76	292	235
Edwards,	5	5	6	106 46	128 23	226	258
Fowler,	12	11	6	207 45	302 07	503	458
Gouverneur,	12	11	7	370 51	230 79	523	517
Hammond,	7	6	7	138 00	198 60	232	223
Hopkinton,	8	8	7	164 07	194 76	354	273
Lawrence,	9	8	7	73 47	254 06	317	280
Lisbon,	13	11	6	209 70	283 65	551	634
Louisville,	10	8	6	184 97	179 83	326	333
Madrid,	23	22	7	589 47	845 84	1056	1132
Massena,	13	11	6	315 69	331 53	547	665
Morristown,	13	13	6	234 59	267 15	478	508
Norfolk,	9	8	7	200 07	218 04	380	358
Oswegatchie,	14	13	7	581 46	293 33	688	1325
Parishville,	12	12	7	195 83	345 14	550	481
Pierrepont,	7	7	6	131 15	190 74	283	288
Potsdam,	31	31	7	747 74	864 24	1376	1245
Rossie,	7	4	6	100 06	77 82	175	159
Russel,	9	9	5	141 20	180 13	237	213
Stockholm,	18	18	6	268 66	454 42	732	742
	277	256	6	6098 72	6680 55	11380	11902

STEUBEN COUNTY.

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Addison, ...	11	8	4	116 48	179 84	287	290
Bath, ...	23	19	7	326 46	684 06	1133	1052
Cameron, ...	8	8	6	166 58	274 74	309	306
Campbell, ...	6	6	6	94 64	161 76	225	225
Canisteo, ...	5	5	5	52 42	128 16	177	184
Cohocton, ...	18	18	7	404 97	518 54	962	987
Dansville, ...	13	11	6	274 27	269 49	665	554
Erwin, ...	5	4	6	84 27	92 00	166	225
Greenwood, ...	8	7	5	88 18	115 58	269	210
Hornby, ...	6	6	5	229 31	140 78	291	289
Hornellsville, ...	12	10	6	122 65	304 00	453	457
Howard, ...	18	18	5	339 54	263 99	848	890
Jasper, ...	11	7	4	131 40	109 28	151	171
Jersey, ...	14	14	6	234 14	410 23	736	757
Painted-Post, ...	8	6	6	153 68	169 61	306	363
Prattsburgh, ...	17	15	8	240 36	609 42	788	743
Pulteney, ...	9	9	7	182 98	349 25	552	560
Reading, ...	9	9	6	161 43	258 21	487	530
Troupsburgh, ...	9	8	6	98 38	127 26	262	214
Tyrone, ...	12	12	6	200 21	539 84	666	692
Urbana, ...	10	10	6	119 52	379 83	492	498
Wayne, ...	7	6	8	114 57	427 37	487	414
Wheeler, ...	12	11	7	181 49	271 53	462	469
Woodhull, ...	5	4	5	73 85	52 52	163	189
	256	231	6	4191 78	6837 29	11337	11269

SUFFOLK COUNTY.

Brookhaven, ...	33	32	9	648 01	1696 32	1936	1841
East-Haven, ...	7	7	10	182 47	419 91	378	388
Huntington, ...	25	21	9	568 64	1835 55	1471	1506
Islip, ...	6	6	10	176 45	636 27	415	515
Riverhead, ...	12	11	9	216 35	561 99	648	598
Shelter-Island, ...	1	1	9	45 76	145 00	69	90
Smithtown, ...	11	9	7	190 34	431 80	387	399
Southampton, ...	19	18	8	532 32	766 24	1225	1269
Southold, ...	14	13	9	301 70	802 51	905	809
	128	118	9	2862 04	7295 59	7434	7415

SULLIVAN COUNTY.

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Bethel,	7	7	8	172 96	252 57	336	375
Cochecton,	7	6	4	77 50	94 25	143	124
Fallsburgh,	10	10	8	200 18	325 67	383	426
Liberty,	8	8	6	186 53	199 55	430	351
Lumberland,	9	5	5	149 76	157 94	201	181
Mamakating,	16	9	7	350 53	166 20	432	767
Neversink,	5	5	6	165 54	82 11	199	293
Rockland,	9	7	5	120 74	40 78	223	164
Thompson,	15	12	7	361 87	389 50	470	645
	86	69	6	1794 61	1708 57	2817	3326

TIOGA COUNTY.

Burton,	10	7	7	124 76	83 07	296	291
Berkshire,	11	11	7	652 12	478 42	626	509
Bigflatts,	6	5	6	110 96	99 20	285	296
Catlin,	19	11	6	173 34	246 31	482	491
Cayuta,	5	5	5	71 12	123 55	201	266
Candor,	20	20	6	388 26	513 63	1053	891
Catharines,	9	9	6	283 71	372 87	564	633
Chemung,	22	13	5	142 28	382 64	463	469
Elmira,	12	12	7	272 45	726 02	705	777
Erin,	11	10	5	130 37	114 88	307	332
Newark,	7	7	5	103 15	196 55	349	336
Nichols,	8	8	7	146 84	269 65	348	444
Owego,	21	18	7	439 81	692 22	898	996
Richford,*							
Southport,	7	7	8	206 74	323 06	489	448
Spencer,	9	8	6	125 88	282 04	409	431
Tioga,	8	7	7	199 80	343 20	453	460
Veteran,	12	10	7	155 54	248 78	543	495
	197	168	6	3727 13	5496 09	8471	8565

TOMPKINS COUNTY.

Caroline,	15	14	6	268 82	522 84	997	813
Danby,	18	18	7	422 70	370 68	927	860
Dryden,	29	29	8	1277 46	269 17	1838	1729

* Included in Berkshire.

TOMPKINS COUNTY, (Continued.)

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Enfield,	15	14	8	501 80	274 09	843	810
Groton,	19	19	8	401 31	692 61	1310	1154
Hector,	32	32	8	1265 61	854 63	1972	1712
Ithaca,	16	16	7	956 99	503 29	1135	1491
Lansing,	22	22	8	1063 93	563 69	1463	1337
Newfield,	19	18	7	443 91	454 55	918	952
Ulysses,	12	12	9	662 68	568 43	1055	970
	197	194	8	7265 19	5073 98	12458	11768

ULSTER COUNTY.

Esopus,	7	7	8	186 25	377 77	313	523
Hurley,	5	5	9	152 73	.....	272	431
Kingston,	11	9	8	403 46	307 01	533	1051
Marbletown,	12	12	8	369 65	630 97	604	988
Marlborough,	9	9	8	264 62	454 14	402	705
New-Paltz,	21	21	9	556 97	1446 15	1090	1492
Olive,	8	8	6	197 27	190 39	386	443
Plattekill,	10	9	10	233 81	672 69	525	576
Rochester,	10	10	9	263 85	483 67	492	780
Saugerties,	14	14	9	339 60	254 00	933	1202
Shandaken,	9	9	4	169 08	31 83	248	343
Shawangunk,	14	14	9	413 80	800 87	766	1145
Wawarsing,	17	17	6	264 15	608 87	605	878
Woodstock,	7	6	8	157 60	268 40	269	445
	154	150	8	3972 84	6526 76	7438	11002

WARREN COUNTY.

Athol,	9	9	4	97 41	135 88	271	250
Bolton,	15	12	5	153 71	209 51	433	412
Caldwell,	7	7	7	98 52	192 74	249	240
Chester,	13	11	6	151 94	249 30	364	364
Hague,	6	6	7	75 75	173 39	222	186
Johnsburgh,	9	9	4	115 28	92 51	277	262
Luzerne,	11	10	6	168 52	289 74	502	414
Queensbury,	20	20	6	335 74	894 78	933	873
Warrensburg,	10	9	5	131 74	291 00	302	364
	100	93	6	1328 61	2528 85	3553	3365

WASHINGTON COUNTY.

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Argyle,	19	18	8	399 35	726 51	1094	940
Cambridge,	12	11	9	254 64	697 42	648	551
Dresden,	10	4	5	59 55	17 92	101	85
Easton,	22	20	8	392 07	803 33	957	872
Fort-Ann,	25	17	7	353 60	697 84	586	810
Fort-Edward,	8	8	8	196 19	531 16	389	516
Granville,	22	22	8	421 44	802 87	1238	1089
Greenwich,	14	14	9	394 46	813 38	1179	1091
Hampton,	8	8	8	113 84	238 44	377	305
Hartford,	17	17	7	421 03	377 10	844	693
Hebron,	22	22	7	334 68	703 45	955	824
Jackson,	11	10	9	219 42	657 96	989	808
Kingsbury,	13	12	9	281 71	550 89	776	721
Putnam,	7	7	4	84 93	134 39	278	260
Salem,	19	19	7	342 16	791 66	943	818
White-Creek.	12	12	8	270 82	683 85	674	591
Whitehall,	16	16	7	376 08	363 71	823	796
	257	237	8	4915 97	9591 88	12851	11770

WAYNE COUNTY.

Arcadia,	22	21	8	625 10	750 97	1477	1269
Butler,	12	12	7	228 37	457 40	623	585
Galen,	20	20	7	721 95	629 10	1212	1189
Lyons,	13	13	7	375 64	1038 22	1141	1106
Macedon,	14	14	6	220 35	477 69	651	624
Marion,	10	10	7	202 30	481 34	944	843
Ontario,	10	10	6	149 61	208 08	464	476
Palmyra,	17	17	7	338 78	1000 51	1141	962
Port-Bay,	12	8	6	139 11	217 65	329	314
Rose,	8	8	7	235 72	170 60	497	531
Savannah,	7	5	6	192 27	69 22	307	241
Sodus,	19	19	7	336 37	585 18	1077	1121
Williamson,	10	8	6	178 28	235 79	578	545
Wolcott,	7	7	6	210 83	140 80	404	351
Walworth,	12	12	7	201 50	444 50	745	645
	193	184	7	4356 18	6907 05	11590	10802

WESTCHESTER COUNTY.

Towns and Counties.	Number of districts.	No. districts returned.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
Bedford,	11	11	10	310 27	724 41	604	717
Cortland,	11	11	6	350 23	497 26	515	880
Eastchester,	3	3	11	100 95	232 00	147	242
Greenburgh,	9	9	11	238 15	1008 24	447	619
Harrison,	5	5	11	123 49	430 00	179	246
Mamaroneck,	3	3	10	127 74	320 00	185	276
Mount-Pleasant,	14	14	10	534 10	1077 77	589	1147
New-Rochelle,	3	3	8	141 50	325 00	154	341
Newcastle,	7	7	9	154 36	377 96	320	289
Northcastle,	9	9	8	190 27	460 16	355	460
North-Salem,	8	8	9	179 46	233 12	339	373
Pelham,	1	1	9	34 80	52 00	36	82
Poundridge,	7	7	9	145 25	223 44	419	344
Rye,	5	5	10	161 20	723 00	276	438
Scarsdale,	2	2	6	38 38	183 62	65	83
Somers,	8	8	9	234 92	.....	444	524
South-Salem,	8	8	9	187 29	408 59	377	342
Westchester,	4	4	12	269 50	906 30	524	621
White-Plains,	4	4	9	88 62	.....	102	182
Yonkers,	5	5	11	200 96	809 68	262	450
Yorktown,	9	9	9	251 68	675 12	477	510
	136	136	9	4063 12	9667 67	6816	9166

YATES COUNTY.

Barrington,	13	13	7	225 04	369 15	643	667
Benton,	16	16	8	434 63	1240 75	1221	1235
Italy,	8	8	6	122 35	193 33	331	374
Jerusalem,	16	16	6	270 05	555 89	986	939
Middlesex,	18	18	7	387 03	414 41	1183	1173
Milo,	18	18	7	388 71	1132 74	931	1226
Potter,*							
Starkey,	12	12	7	262 46	562 82	737	713
	101	101	7	2090 27	4469 09	6032	6327

* Included in Middlesex.

There are 55 organized counties in the State; 7 cities, containing 38 wards, and 773 towns. Total towns and wards, 811.

(B.)

Summary of the preceding Abstract, made from the returns of Common Schools, in the year 1832.

COUNTIES.	Number of towns and wards in each county.	Whole No. of school districts in the towns which have made returns.	Whole No of school districts which have made reports.	Average No. of months in which schools have been taught in the counties.	Amount of public money received in the districts, (as stated in the returns,) during the year.	Amount paid for teachers' wages, besides the public money.	No. of children taught in the school districts which have made returns.	No. of children between the ages of 5 and 16 years, residing therein, as stated in said returns.
Albany,	14	156	154	8	$6391 78	$7800 67	9838	14142
Allegany,	26	245	208	6	3137 84	5550 93	9396	8630
Broome,	11	141	119	6	2041 56	3168 69	5575	5177
Cattaraugus,	21	180	136	6	2081 81	3508 49	6018	5280
Cayuga,	20	251	247	8	7896 00	9249 11	15415	14429
Chautauque,	24	265	232	6	3386 90	7711 32	11933	11084
Chenango,	19	278	268	7	6193 37	6493 27	13223	11503
Clinton,	8	104	94	7	2965 09	3576 45	5259	5728
Columbia,	17	182	182	9	4014 81	10894 44	9566	11848
Cortland,	11	163	159	7	3558 88	3728 49	8191	7165
Delaware,	18	246	226	7	3631 14	6236 54	10621	9826
Dutchess,	18	206	198	9	5386 56	14440 84	10368	13219
Erie,	20	210	186	7	4274 31	6734 27	10851	10823
Essex,	15	139	129	6	2166 01	3679 81	6512	5753
Franklin,	10	88	77	6	1789 03	2026 03	3297	3306

Genesee,	24	328	308	8	6391 78	12824 98	18723	16771
Greene,	10	155	146	8	3395 04	6283 63	7920	8434
Herkimer,	18	197	190	8	4088 21	7394 86	10779	10885
Jefferson,	18	287	258	7	6068 90	11745 25	15370	14865
Kings,	6	24	20	10	1809 77	2724 92	1339	4280
Lewis,	11	107	102	7	1768 66	3111 26	4684	4645
Livingston,	12	156	146	8	3972 19	7274 07	8971	8787
Madison,	13	213	209	8	5612 60	6368 23	12732	11389
Monroe,	16	220	217	8	6401 21	10430 33	14197	15662
Montgomery,	19	227	213	8	4747 29	9904 35	11260	13392
New-York,	15	30	30	12	90748 86	.....	4553	.....
Niagara,	11	117	105	7	2249 31	3752 26	5973	5765
Oneida,	29	350	328	8	8056 70	11468 30	18441	29119
Onondaga,	17	289	266	8	9476 18	9231 34	17332	17546
Ontario,	13	219	210	8	4934 81	11107 44	12641	11865
Orange,	14	188	171	9	5127 42	14376 01	10570	12270
Orleans,	8	117	117	7	2624 19	4647 66	6951	6013
Oswego,	20	198	175	6	3283 05	4649 79	8728	8939
Otsego,	22	313	299	7	5954 63	9225 85	16537	15290
Putnam,	5	72	66	8	1395 82	3224 73	2225	3840
Queens,	6	75	64	10	2404 64	6501 71	3250	6142
Rensselaer,	19	199	189	8	5269 86	9533 56	11520	13627
Richmond,	4	20	20	10	811 66	2307 76	1381	2343
Rockland,	4	36	34	10	982 47	3955 49	1646	2464
Saratoga,	20	206	196	8	4222 08	9139 10	10923	10741
Schenectady,	7	52	50	9	917 94	1841 04	2640	3093
Schoharie,	10	159	154	8	3034 67	5291 13	7702	8789
Seneca,	10	110	106	9	4251 29	5302 40	6851	6912

COUNTIES.	No. towns and wards.	No. districts returned.	No. districts reported.	Average No. months.	Public money.	Amount paid teachers.	No. children taught.	No. between 5 and 16.
St. Lawrence,	24	277	256	6	6098 72	6680 55	11380	11902
Steuben,	24	256	231	6	4191 78	6837 29	11337	11269
Suffolk,	9	128	118	9	2862 04	7295 59	7434	7415
Sullivan,	9	86	69	6	1794 61	1708 57	2817	3326
Tioga,	18	197	168	6	3727 13	5496 09	8471	8565
Tompkins,	10	197	194	8	7265 19	5073 98	12458	11768
Ulster,	14	154	150	8	3972 84	6526 76	7438	11002
Warren,	9	100	93	6	1328 61	2528 85	3553	3365
Washington,	17	257	237	8	4915 97	9591 88	12851	11770
Wayne,	15	193	184	7	4356 18	6907 05	11590	10802
Westchester,	21	136	136	9	4063 12	9667 67	6816	9166
Yates,	8	101	101	7	2090 27	4469 09	6032	6327
	811	9600	8941	8	$305582 78	$358320 17	494959	508878

(C.)

A comparative view of the returns of Common Schools, from 1816 to 1833, inclusive.

The year in which the report was made to the legislature.	No. of towns from which the returns were made.	Whole No. of school districts in the said towns.	No. of school districts from which returns were received.	Amount of public money received in said towns.	Amount paid for teachers' wages in the districts over and above public money.	No. children taught in the school districts making returns.	No. of children between 5 and 15 or 16 years of age, residing in those districts.	Proportions of the No. of children taught to the No. of children reported, between the ages of 5 and 15 or 16 years.
1816	338	2755	2631	$55720 98	.....	140106	176449	14 to 15
1817	355	3713	2873	64834 88	.....	170385	198440	6 to 7
1818	374	3264	3228	73235 42	.....	183253	218969	5 to 6
1819	402	4614	3844	93010 54	.....	210316	235871	8 to 9
1820	515	5763	5118	117151 07	.....	271877	302703	9 to 10
1821	545	6332	5489	146418 08	.....	304559	317633	24 to 25
1822	611	6659	5882	157195 04	.....	332979	339258	42 to 43
1823	649	7051	6255	173420 60	.....	351173	357029	44 to 45
1824	656	7382	6705	182820 25	.....	377034	373208	94 to 93
1825	698	7642	6876	182741 61	.....	402940	383500	101 to 96
1826	700	7773	7117	182790 09	.....	425586	395586	100 to 93
1827	721	8114	7550	185720 46	.....	431601	411256	21 to 20
1828	742	8298	7806	222995 77	.....	441856	419216	26 to 91
1829	757	8609	8164	232343 21	.....	468205	449113	25 to 24
1830	773	8872	8292	214840 14	$297048 44	480041	468257	40 to 41
1831	785	9063	8631	238641 36	346807 20	499424	497503	250 to 249
1832	703	9339	8841	244998 85	374001 54	507105	509967	
1833	811	9600	8941	305582 78	358320 17	494959	508878	

(D.)

STATEMENT,

Shewing the increase and diminution of the capital of the School Fund during the year ending 30th September, 1832.

	Bonds for lands.	Bonds for loan of capital.	Loan of 1793.	Loan of 1792.	Loan of 1798.	Public stock.	Bank stock.	Money in the treasury.	Total.
Amount of the fund Oct. 1, 1831, as ascertained pursuant to act chap. 320, of 1831.	$347834 05	$19714 80	$9611 47	$275591 91	$355658 82	$407000	$230000	$64023 45	1709434 50
Increased, as stated below, ...	238262 56	0 00	0.00	0 00	0 00	000	000	157564 15	395826 71
	586096 61	19714 80	9611 47	275591 91	355658 82	407000	230000	221587 60	2105261 21
Diminished, as stated below, ...	16087 38	2051 74	452 88	29054 28	23566 07	80000	000	218873 58	370085 93
	$570009 23	$17663 06	$9158 59	$246537 63	$332092 75	$327000	$230000	$2714 02	$1735175 28

Increase of the Fund.

Bonds taken this year, viz:		
For sales of lands by the Surveyor-General, ...	$19,350 77	
For sales of lands by the Attorney-General, under foreclosure of mortgages for lands, ...	48 35	
Transferred from the General fund to discharge the amount due from that fund to the capital of this, ...	218,863 44	
		$238,262 56
For sales of lands by the Attorney-General under foreclosure of mortgages for loans, ...	0 00	
For loans of the capital of the fund, ...	0 00	
Moneys received into the treasury this year, viz:		
For principal of bonds for lands, ...	$15,581 63	
do do loans, ...	2,051 74	
do do loan of 1786, ...	452 88	
do do do 1792, ...	29,054 28	
do do do 1808, ...	23,566 07	
The first payments on sales of lands, ...	6,857 65	
For canal stock sold, ...	80,000 00	
		157,564 15
		$395,826 71

Diminution of the Fund.

Extinction of principal of bonds for lands, viz:		
By payments into the treasury, ...	$15,581 63	
By reversion under the Surveyor-General's sales for non-payment of consideration, ...	0 00	
By foreclosure of mortgages for lands by the Attorney-General, ...	505 75	
		$16,087 38
Extinction of principal of bonds for loans, viz:		
By payments into the treasury, ...		2,051 74
Extinction of principal of other objects, viz:		
Of loan of 1786, by payments into the treasury, ...		452 88
do 1792, do do		29,054 28
do 1808, do do		23,566 07
Of public stock for amount sold, ...		80,000 00
Carried forward, ...		

Brought forward,.....		$
Moneys paid out of the treasury, viz:		
For bonds belonging to the General fund transferred to this to discharge the balance due from that fund to the capital of this,.....	$218,863 44	
For quit-rents erroneously paid, $20.28, half is.....	10 14	
For loans of the capital of the fund,....	0 00	
		218,873 58
		$370,085 93

Common School Fund.

This Fund consists of the following items, viz:

	See Statement B. Capital.	Estimated revenue for 1833.
Bonds and mortgages for lands sold,....	$570,009 23	$30,000 00
do do for loans of the capital,.....	17,663 06	1,200 00
Balance due on loan of 1786,....	9,158 59	500 00
do do do 1792,....	246,537 63	14,000 00
do do do 1808,....	332,092 75	24,000 00
Canal stock, bearing an interest of 5 per cent, ...	327,000 00	16,350 00
3,600 shares in the stock of the Merchants' bank,.....	180,000 00	11,500 00
1,000 shares in the stock of the Manhattan company, ...	50,000 00	3,500 00
Money in the treasury, being balance of receipts from the capital,.....	2,714 02	100 00
Clerks' fees,.....	.....	100 00
	$1,735,175 28	$101,250 00

To this fund also belong all the unappropriated lands owned by the State on the 1st January, 1823, and yet remaining unsold.

Estimated revenue and actual receipts on account of the revenue of the School Fund for 1832.

	Estimated revenue for 1832.	Actual receipts for year ending Sept. 30, 1832.
Interest on bonds and mortgages for School fund lands sold,	$14,000 00	$17,482 42
do do for loans from the capital, ...	1,200 00	1,169 24
do on the loan of 1786, ...	500 00	1,452 26
do do 1792, ...	16,000 00	15,306 27
do do 1808, ...	26,000 00	22,795 24
do on canal stock,.....	20,350 00	20,350 00
Dividend on stock of the Merchants' bank,.....	11,500 00	11,376 00
do do Manhattan Co..	3,500 00	3,500 00
Rents of lands leased,.....	.....	243 08
Arrearages of clerks' fees,.....	.....	69 80
Interest on money in the treasury,...	*3,000 00	.....
	$96,050 00	$93,755 31

* Embraced in the first item, by transfer of bonds for money in treasury.

(E.)

Common School Fund, from 1806 to 1833.

The following table exhibits the capital of the School Fund, according to the annual reports of the Comptroller, from the foundation of the fund in 1805–6 to 1833; also the annual interest or revenue derived from the fund; the amount annually apportioned from the State treasury, and the increase and decrease of the capital each year, for 27 years.

	Capital.	Annual revenue or interest.	Sum annually paid from State treasury.	Increase of capital from year to year.
1806	58757 24	Not stated.	[No distribution to be made until the revenue amounted to $50,000.]	
1807	183162 96	"		124405 72
1808	307164 56	"		124001 60
1809	390637 15	24115 46		83472 59
1810	428177 91	26480 77		37540 76
1811	483326 29	36427 64		55148 28
1812	558464 69	45216 95		75138 40
1813	636758 07	47612 16		78293 38
1814	822064 94	57248 39		185306 87
1815	861457 89	57539 88		39392 95
1816	934015 13	64053 01	60000 00	72557 24
1817	982242 26	69555 29	60000 00	48227 13
1818	971361 31	68770 00	60000 00	*
1819	1103949 09	70556 04	60000 00	132587 78
1820	1229076 00	78944 56	70000 00	125126 91
1821	1215526 00	77144 56	80000 00	†
1822	1152630 57	77417 86	80000 00	‡
1823	1155827 40	72515 09	80000 00	3196 83
1824	1172913 28	75315 05	80000 00	17085 88
1825	1288309 47	81815 41	80000 00	115396 19
1826	1319886 46	86429 93	80000 00	31576 99
1827	1353477 64	81381 90	100000 00	33591 18
1828	1611096 80	89034 96	100000 00	257619 16
1829	1684628 80	94626 25	100000 09	73532 00
1830	1661081 24	100678 60	100000 00	§
1831	1696743 66	80043 86	100000 00	35662 42
1832	1704159 40	93755 31	100000 00	7415 74
1833	1735175 28	.....	.....	31015 88
			$1390000 00	1787291 98

* Loss.....	$10,880 95	
† "	13,550 00	
‡ "	62,895 43	
§ "	23,547 56	
		110873 94
		1676418 04

The sums placed in the column of "revenue or interest," in the foregoing table, are generally estimates, prior to the year 1825; from 1825 to 1833 inclusive, the sums actually received into the treasury on account of revenue are given. The deficiencies in the annual revenue of the School fund to meet the apportionment, and which sums have been paid from the General fund, are as follows:

1819,	$13,500 00
1820,	7,000 00
1822,	9,309 81
1823,	8,000 00
1824,	9,000 00
1825,	2,630 26
1827,	18,618 10
1828,	10,965 04
1829,	5,373 75
1830,	19,956 14
	$104,353 10

The total amount paid from the General fund to make up deficiencies in the revenue of the School fund for the annual distribution to the schools, is $104,353.10 cents. Of this sum, $22,000 have been refunded, in compliance with laws of 1820 and 1823. The loss to the General fund by contributions to the School fund revenue, after deducting the latter sum, has been $81,353.10.

(F.)

Local School Fund.

Lots reserved for the support of the gospel and schools, and the funds arising therefrom.

The act passed in 1789 for the sale of the lands belonging to the people of this State, required the Surveyor-General to reserve in each township one lot for the support of the gospel, and one lot for the use of schools in such township.—3 R. S. p. 242.

The following is a list of the principal reservations of this nature, viz.

One lot of 550 acres in each of the 28 townships in the military tract.

Forty lots of 250 acres each in the twenty townships west of the Unadilla river, being 10,000 acres.

One lot of 640 acres in each of the townships of Fayette, Clinton, Greene, Warren, Chenango, Sidney and Hampden, in the counties of Broome and Chenango.

Ten lots of 640 acres each in the townships along the St. Lawrence.

Sixteen lots of 640 acres each in Totten and Crossfield's purchase.

In the township of Plattsburgh 400 acres were reserved for the use of a minister of the gospel, and 460 acres for the use of a public school or schools in the said township.

In the township of Benson 640 acres were reserved for gospel and schools.

The Local School fund, established by the sale or renting of these lots, as well as from other sources, are given in the reports of the commissioners of the several towns, and are as follows:

ALLEGANY COUNTY.

Towns.

Birdsall—A present from John Morlatt,	$3 00
Eagle—Poor funds voted by electors,	22 99
Grove—Interest on funds,	3 42
Independence—From common school funds,	13 00
Rushford—Stray money from supervisor,	8 00
	$50 41

BROOME COUNTY.

Colesville—From trustees of gospel and school land,	47 51
Sanford—From school lands,	75 00
Windsor—From trustees of town land,	119 21
	$241 72

CATTARAUGUS COUNTY.

Franklinville—The poor funds of the town,	$165 22

CAYUGA COUNTY.

Aurelius—From commissioners of public lands,	17 87
Brutus—From trustees of public lands,	97 32
Cato—From commissioners of gospel and school lands,	34 72
Conquest—From gospel and school lots,	32 59
Fleming—From the school lot,	10 77
Genoa—From public lot,	441 14
" Saved from legal fee of collector,	23 85
Ira—From school fund,	39 18
" From poor fund,	6 79
Ledyard—From public lands,	216 19
Locke—From public school lot,	1 86
Mentz—Interest on mortgages,	9 06
" From commissioners of public lands,	207 98
Owasco—From rent of public lot,	100 00
Scipio—From funds of town,	241 91
Sempronius—From trustees of town lot,	200 00
Sennet—From town lands,	196 59
Springport—Interest on bonds and mortgages,	66 42

Towns.	
Venice—Interest on bonds and mortgages,	250 14
Victory—From gospel and school land,	19 00
	$2,213 38

CHENANGO COUNTY.

Bainbridge—From the school lands,	281 08
Columbus—From trustees of school lot,	104 51
Coventry—On account of public lands,	52 72
Guilford—From school fund,	46 12
Green—From commissioners of public lands,	100 17
Macdonough—Interest on school lands,	16 90
New-Berlin—From agent of gospel and school fund,	96 92
Otselic—Excise money,	25 00
" From trustees of school lands,	154 49
Oxford—From gospel and school lot,	46 00
Pharsalia—From school lands in Lenox,	79 30
Plymouth—From land agent,	85 38
Preston—Interest on town school fund,	67 61
Sherburne—Interest on bonds and mortgages,	112 68
Smyrna—From trustees of school lands,	73 92
	$1,342 80

CLINTON COUNTY.

Beekmantown—From poor masters,	70 00
Mooers—Rent of school lot,	12 50
" From school fund,	4 17
Plattsburgh—Interest on town fund,	73 62
Saranac—From poor chest,	228 33
	$388 62

CORTLAND COUNTY.

Cincinnatus—From public school lot,	64 38
Cortlandville—From trustees of gospel and school lots,	124 89
Freetown—From public school lot,	36 00
Homer—From gospel and school lot,	125 50
Marathon—From public lot,	30 00
" From town fund,	26 85
Solon—From trustees of public lands,	90 18
Truxton—From trustees of public lands,	254 07
Virgil—From public lot,	107 43
	$859 30

DELAWARE COUNTY.

Colchester—From overseers of poor of town,	35 25
Stamford—From town's money,	53 56
	$88 81

ERIE COUNTY.

Towns.

Holland—From excise money of town, ... 24 66

ESSEX COUNTY.

Schroon—From overseers of poor,.... ..... 63 24

FRANKLIN COUNTY.

Fort-Covington—From Russell Matthew Bayle, ... 133 69

GENESEE COUNTY.

Le Roy—From overseers of poor,..... 105 30
Wethersfield—From private donation,..... 3 00

$108 30

HERKIMER COUNTY.

Frankfort—From town school fund,.... ..... 10 39
Norway—From town poor fund,..... 67 56
Warren—Interest on town fund,..... 11 28

$89 23

LIVINGSTON COUNTY.

Geneseo—From poor fund,..... 82 37

MADISON COUNTY.

Brookfield—From trustees of school lands, ... 412 40
Eaton—From trustees of school lands,..... 105 54
Georgetown—From trustees of school lands,..... 125 72
Hamilton—From school agent, ... 70 00
Lebanon—From trustees of school lands, ... 79 69
Madison—From agent of gospel and school lands,..... 121 87
Nelson—From school agent of town,..... 62 68
Smithfield—Interest of poor money,..... 40 10

$1,018 00

MONTGOMERY COUNTY.

Hope—Excise money,..... ..... 11 62

NIAGARA COUNTY.

Hartland—From town fund,..... 13 12
Lockport—From town fund, ... 34 06
Wilson—From poor masters,..... 50 00

$97 18

ONEIDA COUNTY.

Towns.

Boonville—From town fund,	66 03
Bridgewater—From overseers of poor,	50 00
Remsen—Interest on town fund,	125 14
Sangerfield—From agent of school land,	63 00
Trenton—From town school fund,	13 81
Westmoreland—From town school fund,	35 67
	$353 65

ONONDAGA COUNTY.

Cicero—From public lot,	89 85
Clay—From gospel and school lot,	191 92
Fabius—From trustees of public lot,	196 25
La Fayette—From trustees of public lot,	128 14
Lysander—From trustees of public lot,	17 82
Manlius—From trustees of town lot,	803 44
Marcellus—From town school fund,	214 37
Otisco—From trustees of gospel and school fund,	154 65
Pompey—From trustees of public lot,	331 31
" On Cook's bond,	19 25
Skaneateles—Interest on sales of public lot,	318 85
Spafford—From trustees of school lot,	187 80
Salina—From gospel and school lots,	37 00
Tully—From trustees of school lot,	103 74
	$2,794 39

ONTARIO COUNTY.

Gorham—From town school fund,	125 00

OSWEGO COUNTY.

Granby—From gospel and school lots,	137 00
Hannibal—From trustees of gospel and school lots,	125 52
Hastings—Interest of poor fund,	50 00
	$312 52

OTSEGO COUNTY.

Edmeston—Interest on school fund of the town,	240 05
Exeter—From town fund,	9 24
	$249 29

QUEENS COUNTY.

Oyster Bay—From sale of grass on the marsh,	85 00

SARATOGA COUNTY.

Day—Avails of the town school fund,	21 64

SENECA COUNTY.

Towns.

Covert—From commissioners of town school fund,	266	28
Fayette—From town funds,	484	19
Junius—On account of school lot,	39	30
Lodi—From trustees of gospel and school lot,	276	04
Ovid—From trustees of town funds,	414	44
Romulus—From trustees of town funds,	5	00
Seneca Falls—Interest on gospel lot,	66	27
Tyre—From town school fund,	39	94
Varick—From trustees of gospel and school fund,	167	00
Waterloo—From gospel and school lot,	43	29
	$1,801	75

ST. LAWRENCE COUNTY.

Canton—From trustees of public lands,	165	31
De Kalb—From trustees of school land,	110	26
Gouverneur—From trustees of gospel and school lands,	133	39
Lisbon—From trustees of gospel and school lots,	20	00
Louisville—From trustees of public lands,	22	01
Madrid—From trustees of public lands,	74	57
Morristown—From supervisor of town,	4	00
Norfolk—From trustees of public lands,	37	25
" From supervisor,	22	69
Pierrepont—Interest on school fund,	26	86
Potsdam—From trustees of public lands,	171	96
Rossie—From supervisor,	4	00
Russell—From overseers of poor,	39	47
	$831	77

SULLIVAN COUNTY.

Fallsburgh—From overseers of poor,	65	48
Rockland—From town fund,	23	68
	$89	16

TOMPKINS COUNTY.

Dryden—From gospel and school lot,	708	00
Hector—From trustees of town,	687	46
Ithaca—Avails of the gospel and school lot,	458	43
Lansing—Interest from town funds,	597	30
Ulysses—From gospel and school lot,	314	04
	$2,765	23

WASHINGTON COUNTY.

Towns.

Argyle—From supervisor,	32 00
Hartford—From overseers of poor,	138 00
	$170 00

WAYNE COUNTY.

Galen—From commissioners of school and gospel lot,	353 10
Rose—From funds of town,	46 51
Savannah—From school lot,	118 88
Wolcott—From poor-masters of town,	101 78
	$620 27

RECAPITULATION.

Allegany county,	$50 41
Broome,	241 72
Cattaraugus,	165 22
Cayuga,	2,213 38
Chenango,	1,342 80
Clinton,	388 62
Cortland,	859 30
Delaware,	88 81
Erie,	24 68
Essex,	63 24
Franklin,	133 69
Genesee,	108 30
Herkimer,	89 23
Livingston,	82 37
Madison,	1,018 00
Montgomery,	11 63
Niagara,	97 18
Oneida,	353 65
Onondaga,	2,794 39
Ontario,	125 00
Oswego,	312 52
Otsego,	249 29
Queens,	85 00
Saratoga,	21 64
Seneca,	1,801 75
St. Lawrence,	831 77
Sullivan,	89 16
Tompkins,	2,765 23
Washington,	170 00
Wayne,	620 27
	$17,198 25

(G.)

Abstract of the Reports of the Commissioners of Common Schools, of the School Books most in use in the several Towns which have made Returns.

[The figures represent the number of towns in each county in which the books named at the head of the column are in general use.]

COUNTIES.	SPELLING BOOKS.							ARITHMETICS.						Grammars.				GEOGRAPHIES.								Readers and other books.								
	Webster.	Cobb.	Marshall.	Crandal.	Bentley.	Sears.	Williams.	Daboll.	Adams.	Pike.	Ostrander.	Willet.	Colburn.	Murray.	Greenleaf.	Kirkham.	Brown.	Woodbridge.	Goodrich.	Cummings.	Morse.	Willet.	Olney.	Walker's Dictionary.	Webster's Dictionary.	English Reader.	Testament.	American Preceptor.	Brief Remarker.	American Reader.	Columbian Orator.	History United States.	Easy Lessons.	Historical Reader.	New-English Reader.
Albany,	8	....	..	..	..	..	..	8	1	1	..	..	..	7	..	1	..	4	..	1	..	..	5	3	..	7	3	..	1	..	..	2	..	..	..
Allegany,	15	11	..	..	..	..	..	21	....	..	3	..	..	17	2	4	..	16	..	1	1	..	3	4	..	21	2	..	..	..	..	....	..	..	..
Broome,	2	5	..	7	..	..	..	5	....	..	..	..	..	5	1	....	..	4	..	..	..	..	3	1	..	9	5	..	..	..	..	....	..	..	..
Cattaraugus,	9	15	..	..	..	..	..	11	2	1	1	..	..	7	4	2	2	9	1	..	..	..	4	2	..	16	3	1	..	..	..	1	..	..	..
Cayuga,	4	14	..	..	..	..	..	15	....	..	..	..	..	16	2	....	..	10	1	..	1	1	5	..	..	15	1	..	..	..	..	1	..	2	1
Chautauque,	17	14	3	..	..	..	..	16	3	..	3	..	1	10	6	6	..	9	1	1	6	1	6	..	..	14	2	2	..	..	..	4	..	..	..
Chenango,	6	5	..	17	..	..	1	16	....	1	..	..	..	18	1	3	..	17	..	..	1	4	8	..	..	16	4	..	..	..	..	3	..	1	1
Clinton,	8	....	1	..	..	..	..	....	7	..	..	..	..	7	..	....	..	7	..	..	..	..	....	2	..	7	1	..	..	..	..	4	..	..	..
Columbia,	7	....	..	..	8	..	..	9	....	1	..	1	1	11	4	....	..	8	..	..	..	4	8	2	1	10	6	2	4	..	2	4	..	..	..
Cortland,	4	8	..	3	..	..	..	10	....	..	..	..	2	9	4	2	1	7	..	..	4	..	5	..	..	7	1	..	..	..	..	2	..	..	..
Delaware,	13	6	..	9	1	..	..	12	....	..	..	1	..	11	4	1	..	7	..	1	..	2	7	..	..	16	12	5	1	..	1	2	..	..	..
Dutchess,	4	....	..	..	17	..	..	11	....	..	..	12	..	12	1	....	2	3	..	1	3	10	5	7	..	14	5	1	1	4	..	3	..	..	..
Erie,	4	16	..	..	..	..	..	14	....	1	3	..	..	12	2	10	..	8	1	..	..	..	9	3	..	11	1	..	..	..	..	1	..	..	1
Essex,	9	....	6	..	..	..	..	....	7	..	..	..	..	10	..	....	..	5	..	2	..	..	1	1	..	11	5	..	..	..	..	1	..	..	..
Franklin,	7	....	1	..	..	..	..	1	8	2	..	..	..	6	1	....	..	5	..	..	1	1	....	1	..	5	3	..	..	1	..	1	1	..	..

Genesee,	14	17	2				1		18		1		4			13	7		8		14		4				10	3	3	15	3				1	3			
Greene,	9	3							9			1				7		1			5			1	1		4	2		9	8	1	1			2			
Herkimer,	14			4					14		1					11		4			13		1		5		1	4		14	3								
Jefferson,	5	15							8		8	1				12	4	5			9		1	1	11		1			14	1					2	8		
Kings,									1					1		3			1		1			1	1		1	2		3	1					1			
Lewis,	7	5							7		3				1	6	1	1			2					7		2		8	1					2	3		
Livingston,	5	6	2						6		1		4			7	3	1	1		5		1				7	1	1	6	2		1	1		1	1	4	
Madison,	11	1						3	8			1				9		5			9						6	3		12	2								
Monroe,	7	5	8			8			12		2	4	1	1		5	1	6	3		7		2	1			7	3	1	11						2	2	8	
Montgomery,	13		4						13		2	1			1	7	1				9			2	1			2		14	3	2			2	3			
New-York,																																										
Niagara,	7	6							9				3			7	1	4			6						2	3		7						2		2	1
Oneida,	19	1	1	1					18		1	1				17	1	3			15		2		11		3	5	1	20						2	1		
Onondaga,	13	9							14		1	1			2	15	2	6			11		1		1		6	2	1	9	4			1		1	1		2
Ontario,	12	3							8			2	7		2	7	2	2			8			3			4	1	1	9				1				3	1
Orange,	4								9							6	1	3			6	1	1		1		1	2		4		1		1	1	3			
Orleans,	7					1			6			2	1	2		6	4	1	4		6	1	1				5			7	1			1		3	1	1	2
Oswego,	17	5							12		3					13		3			9		1		8		2	1		13	6					2	1		
Otsego,	6			17					16			1				16		3			15	1		1	4		4	4		15	4					4			
Putnam,	4				1	1			3						1	1	2				2			1	1		2			3	2			1		2			
Queens,	3								3					2	1	2			2		2				2			1		3	2			2		1			
Rensselaer,	7		1		3				8		3	2				7	2	2			6		2	3	1		3	2		9	4	1			2	2	1		
Richmond,																																										
Rockland,	1								3							4					1						1	1		3	2				1				
Saratoga,	7		9						12		2	3				11	3	1			9		1	1	2		5	1		11	5				1	5	1		
Schenectady,	3								3							1		1			1			1						5	3								
Schoharie,	9			2					3		1	1				6	1	2			5		1	1	1		4	2		6	2	2			1				
Seneca,	4	8							8				3			6		4			5	1	1	1			3			7	3	1				2			2
St. Lawrence,	22	9	2	2					7		19	3			1	16					16	1	1	2	3			2		19	4	1				3	1		
Steuben,	18	11							18		1	1	3		1	14	3	3			9		1				3	3		23	8	1	1						
Suffolk,	7								6							6	2				1			2	2		1	2		7	2	2		2	2				
Sullivan,	7	1				1			8			1				5					5			1	1			1		8	4				3				
Tioga,	4	16						4	13							13	3	3			6			1	1		4	4	1	13	7	1							
Tompkins,		8							7							4	6	3			4			3			5	1		6	2								1
Ulster,	9				6				10					4		7	5	1			5				4		6	3		11	7	1	1	1		4			
Warren,	3		5								5					3	1	2			4			1			1			4									
Washington,	6		14						2		11	5			1	10	3				9		1	1			4			15	5	2		2	2	1			

COUNTIES.	SPELLING BOOKS.							ARITHMETICS.						Grammars.				GEOGRAPHIES.								Readers and other books.									
	Webster.	Cobb.	Marshall.	Crandal.	Bentley.	Sears.	Williams.	Daboll.	Adams.	Pike.	Ostrander.	Willett.	Colburn.	Murray.	Greenleaf.	Kirkham.	Brown.	Woodbridge.	Goodrich.	Cummings.	Morse.	Willett.	Olney.	Walker's Dictionary.	Webster's Dictionary.	English Reader.	Testament.	American Preceptor.	Brief Remarker.	American Reader.	Columbian Orator.	History United States.	Easy Lessons.	Historical Reader.	New English Reader.
Wayne,	13	7	2	..	..	..	..	11	....	..	7	..	1	8	4	3	..	8	..	2	..	1	3	4	..	12	3	..	..	1	..	....	..	..	2
Westchester,	14	....	..	..	..	..	..	7	....	..	..	..	..	10	..	....	1	4	..	1	1	4	4	1	..	10	5	..	..	..	..	1	..	..	..
Yates,	5	5	..	..	..	..	..	3	....	..	2	..	..	3	1	1	..	4	..	..	3	1	1	1	1	5	3	..	..	..	..	....	..	..	..
	433	235	61	62	36	12	8	472	91	36	43	24	17	462	96	111	17	375	9	33	50	98	183	95	11	549	166	27	11	19	19	83	22	21	14

Picket's Spelling Book is used in one town in Delaware, two in Kings, six in Orange, one in Queens, one in Rockland, one in Sullivan, one in Tioga, one in Ulster and two in Westchester, total 16.

Burhans' Spelling Book is used in one town in Albany, one in Columbia, one in Greene, one in Montgomery, and one in Ulster=5.

Parker's Arithmetic is used in two towns in Delaware.

Ruger's Arithmetic is used in twelve towns in Jefferson, one in Lewis, and one in Oswego=14.

Alexander's Grammar is used in one town in Franklin, and one in Washington=2.

Dwight's Geography is used in one town in Orange, and one in Yates=2.

Hart's Geography is used in one town in Erie, four in Monroe, four in Oneida, one in Ontario, and one in Queens=11.

Cobb's Dictionary is used in one town in Erie, and one in Montgomery=2.

Johnson's Dictionary is used in one town in Essex, and one in Montgomery=2.

Historical Dictionary is used in one town in Columbia, and one in Schoharie=2.

Tytler's History is used in one town in Chenango, one in Dutchess, two in Herkimer, and two in Saratoga=6.

Flint's Surveying is used in one town in Columbia, one in Herkimer, one in Montgomery, and one in Seneca=4.

American Instructor is used in one town in Cayuga, and one in Schoharie=2.

Starkweather's Arithmetic is used in one town in Chenango.

Popular Lessons is used in one town in Montgomery, three in Orange, one in Putnam, and one in Ulster=6.

Ingersoll's Grammar is used in one town in Dutchess, and one in Queens=2.

American Selection is used in one town in Montgomery, and one in Orange=2.

Blair's Chronology is used in one town in Chautauque.

Hazen's Speller and Definer is used in one town in Chenango, one in Delaware, and two in Onondaga=4.

Mrs. Willard's Geography is used in one town in Cortland, one in Greene, and one in Orange=3.

Beauties of the Bible is used in two towns in Columbia.

Connelly's Grammar is used in one town in Cayuga, one in Dutchess, and one in Washington=3.

New-York Reader is used in one town in Clinton, one in Dutchess, one in Ontario, two in Queens, one in Seneca, one in St. Lawrence, and one in Ulster=8.

Gibson's Surveying is used in one town in Dutchess, one in Kings, and one in Schoharie=3.

Burhans' Expositor is used in one town in Dutchess, two in Queens, and one in Westchester=4.

Thompson's Arithmetic is used in one town in Essex, one in St. Lawrence, and one in Washington=3.

Smith's Arithmetic is used in one town in Columbia, one in Livingston, and one in Yates=3.

Child's Instructor is used in one town in Ontario, one in Putnam, one in Queens, one in Suffolk, and two in Westchester=6.

National Reader is used in one town in Ontario, one in Rensselaer, and one in Seneca=3.

Blake's Philosophy is used in one town in Genesee, one in Yates, one in Lewis, and one in Saratoga=4.

Giddins' Almanac is used as a school book in the town of China, Genesee county.

Clark's Geography is used in one town in Schoharie.

The History of England is used in one town in Suffolk.

Bowditch's Navigator is used in one town in Suffolk.

The Monitor is used in four towns in Suffolk, one in Washington, and one in Putnam=6.

Cobb's Juvenile Reader is used in one town in Steuben, two in Tompkins, two in Tioga, one in Jefferson, and one in Queens=7.

Practical Reader is used in one town in Tompkins.

Whelpley's Compend is used in one town in St. Lawrence.

Peter Parley's Geography is used in one town in Seneca, one in Tioga, one in Ulster, one in Washington, one in Montgomery, one in Saratoga, one in Onondaga, one in Orleans, one in Otsego, one in Orange, and one in Chautauque=11.

Common School Manual is used in one town in Seneca.

Spafford's Grammar is used in one town in Ulster.

Webster's Grammar is used in one town in Ulster, and one in Saratoga=2.

Definition Reader is used in one town in Wayne.

Select Reader is used in one town in Washington.

Scott's Lessons is used in one town in Westchester, and one in Orange=2.

Day's Algebra is used in one town in Herkimer.

Blair's Philosophy is used in one town in Herkimer, and one in Otsego=2.

School Master's Assistant is used in one town in Kings.

Goldsmith's Rome is used in one town in Kings.

Bonnycastle's Mensuration is used in one town in Kings.

Bennett's Book-Keeping is used in one town in Kings.

Juvenile Philosopher is used in one town in Lewis.

American Manual is used in one town in Madison.

Columbian Reader is used in one town in Madison.

Spafford's Geography is used in one town in Montgomery.

Conversations on Natural Philosophy is used in one town in Montgomery.

Alexander's Evidences of Christianity is used in one town in Montgomery.

Williams' Grammar is used in one town in Monroe.

Yates' Outlines of History is used in one town in Monroe.

Jack Halyard is used in one town in Niagara, one in Queens, and one in Onondaga=3.

Parley's Tales is used in one town in Ontario.

Worcester's Primer is used in one town in Ontario, and one in Delaware=2.

First Class Book is used in one town in Putnam.

Burhans' Young Tyro is used in one town in Queens, and one in Columbia=2.

American Primer is used in one town in Queens.

Pelham's Primer is used in one town in Queens.

Ward's Primer is used in one town in Queens.

Juvenile Spelling Book is used in one town in Rockland.

Dilworth's Arithmetic is used in one town in Rockland.

Stephen's Arithmetic is used in one town in Saratoga.

Hull's Grammar is used in one town in Onondaga.

Boston Atlas is used in one town in Oneida.

Butler's History is used in one town in Oneida.

History of New-York is used in one town in Orleans.

Worcester's Geography is used in one town in Oswego.

Columbian Reader is used in one town in Otsego, and one in Chautauque=2.

Baldwin's Arithmetic is used in one town in Orange.

Picket's Grammar is used in one town in Orange.

Hillyard's Geography is used in one town in Albany.

Symbolical Primer is used in one town in Allegany.

Brandon's Arithmetic is used in one town in Allegany.

Robinson's Grammar is used in one town in Broome.

Juvenile Reader is used in one town in Broome, one in Cayuga, and one in Cortland=3.

Todd's Grammar is used in one town in Chautauque.

Parley's History is used in one town in Chautauque.

Bentley's Instructor is used in one town in Columbia.

Webster's Third Part is used in one town in Delaware.

American Class Book is used in one town in Dutchess, and one in Essex=2.

Perry's Dictionary is used in one town in Essex.

The following table shows the totals of the principal Books used, as they appear in the reports of the Superintendent for 1827, 1830, 1832 *and* 1833, *from which the increase and decrease of the towns using the different books can be ascertained.*

BOOKS.	Towns in 1827.	Towns in 1830.	Towns in 1832.	Towns in 1833.
English Reader, used in	434	584	547	549
Daboll's Arithmetic, ...	349	473	469	472
Murray's Grammar, ...	389	472	466	462
Webster's Spelling Book, ...	302	417	400	433
Testament, ...	168	216	200	166
Woodbridge's Geography, ...	110	309	412	375
Walker's Dictionary, ...	133	141	131	95
Willet's Geography, ...	117	120	121	98
Morse's Geography, ...	108	98	72	50
American Preceptor, ...	93	63	32	27
Adams' Arithmetic, ...	91	96	102	91
Pike's "	80	61	46	36
Cumming's Geography, ...	76	68	50	33
Olney's "	.....	.....	80	183
Marshall's Spelling Book, ...	60	85	64	61
Cobb's "	59	209	240	235
Crandal's "	55	62	60	62
Dwight's Geography, ...	44	13	3	2
Greenleaf's Grammar, ...	35	76	88	96
Columbian Orator, ...	34	21	19	19
Brief Remarker, ...	30	24	17	11
American Reader, ...	21	.....	17	19
Bentley's Spelling Book, ...	16	41	42	36
Ostrander's Arithmetic, ...	16	45	50	48
History of the United States, ...	6	33	52	83
Historical Dictionary, ...	15	11	8	2
Murray's Introduction, ...	14	20	17	12
Sears' Spelling Book, ...	10	14	11	12
Willett's Arithmetic, ...	10	16	23	24
Burhans' Spelling Book, ...	10	4	5	5
Tytler's History, ...	4	9	6	6
Colburn's Arithmetic, ...	1	8	26	17
Kirkham's Grammar, ...	.....	28	72	111
Picket's Spelling Book, ...	10	19	6	16
Goodrich's Geography, ...	.....	18	12	9
Leavitt's Easy Lessons, ...	6	15	26	22

(H.)

STATE OF NEW-YORK,
SECRETARY'S OFFICE.

Albany, Nov. 28, 1831.

DEAR SIR—

I send by this mail two copies of the late edition of the school act, as prepared for the country districts. I also send two pamphlets, which contain at page 28 and onward, the regulations for the schools in New-York. I will take some occasion to send down the number you require, as the postage is very high on printed sheets of this kind.

The arrangements for common school instruction in the city of New-York are too limited for the wants of the city. It is not sufficient to say, that there are schools from which none are turned away; this does not effect the object of giving instruction to all. You must not only carry a school to every man's door, as it were, but oftentime the parent must be persuaded to allow his children to be instructed. What reason can be urged against applying the system of the country districts to the city of New-York? The same system is now operating in the city of Albany, under a law passed in 1830. This would require the commissioners of schools in New-York to divide the city into a convenient number of school districts, and to have a school-house erected in every neighborhood where it was wanted. Every school-house now in use might be adopted for the district of the neighborhood where it is located; and new ones should be erected by a general tax on the city, wherever the commissioners should deem it necessary. By some such arrangement, 15 or 20,000 children might participate in the public fund; whereas by the present arrangement, the public fund is shared only by about 6,000. Something should be done, and I desire to be advised by the commissioners what that ought to be. As they are not required officially to make such communication, I will regard it as a private one, made at my request and for my guidance.

The annual report you will please to forward as soon as convenient.

With much respect,
A. C. FLAGG,
Sup. Com. Schools.

WM. THOMPSON,
Chairman Com's of Schools, New-York.

To the Commissioners of School Money.

The committee to whom was referred the letter of A. C. Flagg, Esq. Superintendent of Common Schools, to Wm. Thompson, Esq. chairman of commissioners in New-York, dated Nov. 28th, 1831, together with the letter of Wm. Thompson, Esq. to Mr. Samuel W. Seton, visitor of the poor, &c., also Mr. Seton's reply thereto, dated the 5th Jan. 1832,

RESPECTFULLY REPORT:

1st. That in their opinion, the act passed in 1830, introducing in the city of Albany the system of the country districts would not promote the interest of the public schools in the city of New-York.

2d. That it appears to your committee that the Superintendent of Common Schools is not aware of the almost insurmountable difficulties which present themselves in a city like New-York to induce parents to send their children to school, or to compel the regular attendance of them, circumstances of so varied a character constantly presenting themselves, which renders the keeping of the children from school a matter either of necessity or convenience.

3d. That they are sanguine in the hope that the late ordinance of the honorable the corporation, excluding from the participation of public charity, when it may be required, all out-door poor, whether emigrants or not, who having children between the ages of 5 and 12, neglect or refuse to send them to some one of the public schools, and authorising the commissioners of the alms-house and the trustees of the public schools to give publicity thereof, will have a very salutary effect in increasing the number of scholars. It may be proper here to add, that the trustees have, as your committee has been informed, caused 20,000 handbills, containing the ordinance, with a list of locations of the different schools, to be put up in different parts of the city.*

4th. That the number of infant schools established in every part of our city, (independent of those in connection with the public schools,) in which are admitted children from two to seven years, tend, in the opinion of your committee, to lessen the number of *younger children* attending our public schools. The system of education adopted in infant schools, as must have been evident to you in your visits, is calculated to please the younger children in a much higher degree than that of the public schools. Your committee do not, however, mean to convey the idea that they disapprove of the infant schools, but on the contrary, they consider them powerful auxiliaries to the public schools, inasmuch as at an earlier period than the public schools can by law receive the children, they become as it were better disposed to submit to the discipline of public schools when they are transferred to them.

Your committee further beg leave to report, that without entering into details of the very comprehensive view of the subject taken by Mr. Seton in his communication to our chairman, it appears

* The influence of this ordinance may be inferred from the fact, that about 4,000 families are annually aided as out-door poor—averaging 5 to each family, it gives a total of 20,000 who will feel the effects of this ordinance.—*Supt.*

at the date of it that the various school-houses of the society could accommodate 3,357 more scholars than the number in attendance, or 2,357 more than the number on register.

It also appears that Mr. Seton holds the appointment of visitor from the trustees; that it is made his duty to visit all the families connected with the public schools and the families of the poor located in every part of the city, to induce them to send their children to school. From the well-known character of Mr. Seton for zeal, ability and industry, your committee feel confident no exertion on his part has been wanting to accomplish the object of his appointment.

Your committee further beg leave to report, that since the last distribution of the school money the trustees of the public schools have purchased, in the eastern section of the city, two additional sites for school-houses, and they have determined to open ten primary schools in such parts of the city where they may be required. A number of them are now in successful operation, and the whole will be as soon as suitable rooms can be obtained.

Your committee further report, that the Manumission Society have, since the same period, added three schools to their number for the education of coloured children; all of them are now in successful operation.

Your committee further beg leave to report, that in their opinion, from the well known character of, and zeal at all times manifested by the patriotic and humane citizens who hold the important and arduous stations of trustees of the public school society, the public may rest assured that no exertions on their part will be wanting to extend the advantages of education to every child in our great and increasing city, who of himself, or through the means of parents or guardians, may be disposed to accept the offered boon.

Your committee, with a view of making them the property of the commissioners, beg leave to offer the following resolution:

Resolved, That the letter of A. C. Flagg, Esq. Superintendent of Common Schools, dated 28th Nov. 1831, to William Thompson, Esq. chairman of commissioners of school money, and William Thompson, Esq's. letter of 10th Dec. to Mr. Samuel W. Seton, visitor of public school society, together with Mr. Seton's reply thereto, dated 8th Jan. 1832, be placed on file as a matter of reference.

All which is respectfully submitted,

SAMUEL GUILFORD, Jun.
E. D. COMSTOCK,
CORNELIUS HAROM.

Nov. 23d, 1832.

Report of the Commissioners of Schools for the City of New-York.

The Commissioners of School Money for the city of New-York, in obedience to the statutes of the State, requiring them to report to the Corporation, and to the Superintendant of Common Schools, on or before the first day of December in every year, on the several matters contained in the reports made to the commissioners by the respective societies and schools for the year preceding the first of May in the same year, and on such other matters as the commissioners may deem necessary to promote the interests of said schools,

RESPECTFULLY REPORT:

That the balance in the Mechanics' bank of the city of New-York, to the credit of the commissioners, for the year ending on the first of May, 1831, and after the distribution of that year amounted to thirty-five dollars and seventy-three cents:

That on the thirty-first day of May last, the sum of ten thousand five hundred and seventy-six dollars and fifty-six cents was passed at the bank to the credit of the commissioners, being the quota of the school fund due from the State to the city and county for the same year:

That a deposit was on the same day made at the bank to the credit of the commissioners, by the corporation, of the sum of eighty thousand two hundred and sixteen dollars and fifty-six cents:

Forming a grand total for distribution, of ninety thousand seven hundred and forty-eight dollars and eighty-six cents; an expense account of seventy-nine dollars and ninety-nine cents being deducted, as hereinafter mentioned.

That the commissioners received from the trustees of the Public School society a report of attending scholars in the schools of their society, to the number of three thousand eight hundred and ninety-eight, and paid the society at the rate of nineteen dollars and ninety-three cents per scholar, the sum of seventy-seven thousand six hundred and eighty-seven dollars and fourteen cents.

That the Orphan Asylum society at Greenwich received for one hundred and twelve scholars reported by them, at the same rate per scholar, two thousand two hundred and thirty-two dollars and sixteen cents.

That the Manumission society received for two hundred and fifty African scholars, at the same rate per scholar, four thousand nine hundred and eighty-two dollars and fifty cents.

That the Mechanics' society received for twenty-six scholars taught free of expense in their school, at the same rate, five hundred and eighteen dollars and eighteen cents.

That the Roman Catholic benevolent society reported from the school of the Catholic Orphan Asylum ninety-two scholars taught there free of expense, and received at the same rate per scholar, one thousand eight hundred and thirty-three dollars and fifty-six cents.

That the trustees of the Yorkville school received for forty-three scholars, at the same rate per scholar, eight hundred and fifty-six dollars and ninety-nine cents.

That the trustees of the Harlaem school received for sixty scholars, one thousand one hundred and ninety-five dollars and eighty-four cents.

That the trustees of the Manhattanville school received for fifty-eight scholars, one thousand one hundred and ninety-five dollars and ninety-four cents.

That the trustees of the Hamilton school, near Kingsbridge, received for fourteen scholars, at the same rate, two hundred and seventy-nine dollars and two cents.

Thus forming a total distributed for those schools collectively, of ninety thousand seven hundred and forty-one dollars and twenty-nine cents.

That the commissioners have paid from the fund for stationary, a desk for their papers, and sundry incidental expenses, the sum of seventy-nine dollars and ninety-nine cents, and have to their credit in bank a balance of seven dollars and fifty-seven cents.

The trustees of the Public School society did not include in their report an average of one hundred and fifty-eight children, who had been taught free of expense in their schools, for the reason that that number had not yet attained their fourth year, and by law could not be reported: that the number reported, and for which they had received payment from the School fund for the year, had been diminished by the severity and protracted cold of the past winter, and the prevalence of an unusual degree of sickness among the children.

The commissioners feel it but a just tribute to the strenuous and philanthropic labors of the trustees of the Public School society, to assure the Superintendent and the Corporation, from what they have witnessed, that school-houses have been erected conveniently and judiciously located in the different parts of the city, and one at Bloomingdale, comfortably provided to the fullest extent of the means heretofore allotted the society. That they are not only open to all who choose to avail themselves of the benefits of the education afforded, but that the society have taken great pains and specially employed visitors to wait on such at their own houses as have not been sufficiently attentive to the benefits held out to them, to endeavor to prevail on parents or guardians to send their children to the schools of the society, and to inculcate the necessity of proper habits of punctual attendance; and induced thereto by the very liberal provision made by the Corporation during the past year, the trustees of the Public School society have extended their present establishment, and organized several new primary schools in different parts of the city, giving good earnest of their intentions to use the fund confided to them to the best possible advantage for the objects in view. And the commissioners entertain no doubt that the fund will be so applied by them, quite as extensively as is consistent with the gradual and proper extinguishment of the heavy debt they have incurred in the erection and establishment of the buildings now in their use. The directors of the Orphan Asylum at Greenwich report on the property and affairs of that institution, that including the moneys received for the past year from the

School fund, their means are little if any more than adequate to the wants of the institution; and considering the sums requisite to be expended by the Asylum for the preservation of their buildings, and the support and clothing of the scholars, the commissioners are induced to believe that the moneys received by them heretofore, have not been more than adequate to that portion of their expenditure which is incidental to the education of the children in their charge.

The Orphan Asylum of the Roman Catholic benevolent society has, as the commissioners understand, no means for the support of their school, other than what for the past year was allowed by the ordinance of the Corporation for its support, and the charitable donations of the persons interested in its welfare. The scholars are under the tuition and careful supervision of sisters of charity, who have charge of the school, and exhibit proofs of a most zealous care in training them up to usefulness. Children thus situated, necessarily restrained within the precincts of the institution in which their lot has placed them, not able to avail themselves of the schools opened by the Public School society, are here provided for by persons charitably assuming the relations towards them, not only of tutors, but of parents also, till they arrive at that age which justifies their protectors in placing them out to trades, or such employments as they manifest an aptitude for; and while the children are within the age entitling them to their quota of the School fund, the commissioners can but applaud the determination of the Corporation to place both of these institutions alike under the benefits to be derived from the fund.

The Mechanics' society have reported from their school, as is stated above, but twenty-six scholars, giving but a very small portion of those attending at that school, and those only who are taught there free of expense. This school has no property independent of the society, and the commissioners do not hesitate to say, that considering the high state of discipline in which it is kept, and the very abundant supply of teachers with which it is provided, the money allotted to it is well and judiciously applied.

The Manumission society report to this board, for the past year, but two hundred and fifty scholars; but the commissioners anticipate a considerable increase for the current year. The Public School society not having admitted children of colour to a participation in the fund allotted them, probably because separate buildings and arrangements would be requisite, and their means heretofore have not been adequate to that end; the commissioners have suggested to the trustees of the Manumission society the expediency, with the approbation of the Corporation, either of abandoning, so far as education was concerned, the name of their society, and assuming one suited to more general purposes, with reference to children of that class; such as the African Public School society, or something of that import; or ceding to the present Public School society their school-houses, and blending their trustees with them in one general organization, applicable alike to both classes.

The Manumission society, equally zealous in the pursuit of these praise-worthy objects, and sensibly impressed with the very liberal provision which has been recently made, have, as the commissioners believe, at their suggestion, already more than doubled the number of their schools, placing new ones in the quarters of the city where the wants of that class called for them, and have already gotten them under an organization and progress extremely creditable to their exertions.

The commissioners, while on the subject, beg leave to suggest that they conceive that in the ratio in which the education of children of colour in this city can be promoted, crime among them must diminish, and that persons of that class of society, now rendered by their want of education in a great degree useless to themselves and the community in which they live, would, with proper means of information, not only be saved from our poor-houses and prisons, but could be made useful in many subordinate situations in life above those in which they have heretofore been placed.

The public school society not having yet been able to extend their usefulness further into the suburbs than to one school at Bloomingdale, a school at Yorkville, another at Harlæm, another at Manhattanville, and one near Kingsbridge, have been admitted to a participation in the fund.

That at Yorkville seems to be adequate in size to the wants of the vicinage, as well as that at Harlæm. To the latter, an African department, in a separate building, with the approbation of the corporation, has lately been attached, and is in promising forwardness.

The school near Kingsbridge is opened, and large enough for the wants of the neighborhood; that at Manhattanville is under good discipline and most numerously attended.

As to all of these institutions, the commissioners believe there is no want of capacity in the buildings or arrangements, and if the schools are not as full as accommodations permit, it is only because the limited population of the environs do not require the use of them.

The commissioners feel a pleasure in congratulating the corporation, the Superintendent of Common Schools, and the public at large, that through the munificence of the State and corporation of this city, ample arrangements have now been made in the city of New-York, by which education can be freely and gratuitously offered alike to all who may choose to partake of it. They regret to perceive with some a latent prejudice or false delicacy as to partaking of its benefits. They who feel it do not seem to advert to the fact, that the fund from which the support of these institutions is drawn, is in part the property of the State, and therefore, in the quota required, *their own* for this object; that principally it is obtained by taxation, to which all are obliged to contribute their proportion, whether it be rendered in money, in jury duty, in militia service, or in duties on the imports consumed by them. When this prejudice shall have become removed, the commissioners hope to see the institutions of the societies now distributing this fund great-

ly flourishing, and the community at large receiving its full benefit; then they who will have aided in consummating an object so devoutly to be wished, may repose under the pleasing reflection, that of all their labors, they have in this done their best service to the interests of religion and their country.

By order of the Board,

W. A. SEELY, *Secretary.*

New-York, Nov. 27, 1832.

I hereby certify that the foregoing is a true copy of a report of the commissioners of school money for the city and county of New-York, remaining on file in the clerk's office of the said city and county.

Given under my hand and seal of office, this 29th day of November, 1832.

ABM. ASTEN,

Clerk of the city and county of New-York.

No. 18.

IN ASSEMBLY,

January 10, 1833.

REPORT

Of the committee on the judiciary, on the petition of the supervisors and loan-officers of the county of Suffolk.

Mr. Farrington, from the committee on the judiciary, to whom was referred the petition of the supervisors and loan-officers of the county of Suffolk, praying for the passage of a law authorising the board of supervisors of said county to direct the collection of the moneys secured by certain loan-office mortgages,

REPORTED:

That the said petition sets forth that, by a resolution of the board of supervisors of said county, at their last annual meeting, the petitioners were appointed a committee to present to the Legislature a petition, requesting the passage of a law authorising the said board of supervisors to collect all of the moneys due the State upon the mortgages of the loan-office in said county. That, by an act of the Legislature, passed in the year one thousand seven hundred and ninety-two, entitled "An act for loaning moneys belonging to the people of this State," the sum of twenty-four thousand dollars was loaned in the said county. And that by the said act, and the amendments thereto, the principal of the said sum of twenty-four thousand dollars, whenever any part thereof should be paid in, was directed to be re-loaned. That, in the year 1822, an act was passed authorising the board of supervisors of said county, by resolution, whenever any part of the principal of said moneys should be paid in, to inhibit the re-loaning of the same. Since which period the loan-officers of said county have received of the principal of said moneys, and paid into the treasury, the sum of nineteen

thousand dollars. And that the county has sustained a very considerable loss, in consequence of the mortgaged premises not having been of sufficient value to pay the sums originally loaned. That the loan-officers, at the last annual meeting of the board of supervisors, tendered their resignations; but, at the request of the said board, consented to hold the said office, until they should have an opportunity to present to the Legislature a petition, asking for the passage of an act authorising the said board, by resolution, to direct the collection of the residue of the principal sum of money loaned. That the said board of supervisors deem the further continuance of the loan as injurious to the county, and of no benefit to the mortgagors.

Your committee, without expressing any opinion as to the policy of a continuance of said loan, are clearly of opinion that the prayer of the petitioners can not be granted, without a violation of faith on the part of the State. By a reference to the act, (3d Revised Statutes, p. 233,) entitled "An act further to extend the time for the payment of moneys loaned by the commissioners of loans and loan-officers, to citizens of this State," passed March 30, 1829, it will be perceived that the time for the payment of the loans mentioned in the said petition is extended to the first Tuesday of May, 1839. Your committee therefore conceive, that a coercive collection of the moneys secured by the said mortgages would be a violation of vested rights. They are therefore of opinion that the prayer of the petitioners ought not to granted; and recommend that the said petitioners have leave to withdraw their petition.

All which is respectfully submitted.

No. 19.

IN ASSEMBLY,

January 12, 1833.

REPORT

From the Secretary of State in relation to sending maps and statutes to the Governors of the several States.

STATE OF NEW-YORK,
SECRETARY'S OFFICE,

Albany, January 12, 1833.

To CHARLES L. LIVINGSTON,
Speaker of the Assembly.

SIR,

On the 21st of April last, a report of the Secretary of State was communicated to the Assembly, by the Governor, relative to the maps and Revised Statutes, which were sent to the Governors' of the several States. The authority under which the statutes and maps were transmitted, directed it to be done by the Governor, and he was authorised to draw money from the treasury to pay the expense of transportation. At the request of the Governor, and in his absence, the Secretary of State attended to the business, and two hundred dollars were drawn from the treasury, upon the order of the Governor, and placed in the hands of the Secretary of State, to pay the bills of freight as they came in. The report of last year (see document 305 of the Assembly,) showed an expenditure of $82.43, leaving 117.57 in deposit in the Commercial Bank, subject to the draft of the Secretary of State, and for which he is required to account.

The only bill which has since been presented and paid, is one from Alley & Trimble, of New-York, for $10.27, and the balance of the $200, being $107.30, has been paid into the treasury, and a receipt taken therefor.

The Secretary of State has not been apprised that there are any outstanding bills for transportation, although there may be some yet to come in. If the bills are all paid, it will appear that these boxes, weighing together 98 pounds, have been transmitted to each of the Governors of 23 States, at an expense of only 93 dollars for the whole.

All which is respectfully submitted.

A. C. FLAGG.

No. 20.

IN ASSEMBLY,

January 12, 1833.

REPORT

Of the select committee on the petition of the chairman and clerk, of the board of Supervisors of Monroe county.

Mr. Sheldon, from the committee to whom was referred the petition of the chairman and clerk of the board of Supervisors of the county of Monroe, for a law authorising said supervisors to raise a sum not exceeding $2,000, for the purpose of erecting a fire proof clerk's office in said county, begs leave to

REPORT:

That they have carefully considered the same, together with a resolution accompanying said petition, passed at the last annual meeting of said board, directing their chairman and clerk to petition this body for the passage of such law. Your petitioners state that the room now occupied as an office is very damp; that many of the papers and records have become materially injured and some nearly destroyed, and that its location in the neighborhood of other offices is such as very much to endanger its safety from fire. Your committee therefore see no reason why the prayer of the petitioners should not be granted, and ask leave to bring in a bill accordingly.

M. SHELDON.

No. 21.

IN ASSEMBLY,

January 4, 1833.

ANNUAL REPORT

Of Dayton H. Fuller, an Inspector of Lumber for the city of Troy.

The undersigned, would submit to the Honorable Body, the Legislature of the State of New-York, the following amount of lumber, measured and inspected by him, commencing the 14th of May, 1832, and ending December 14th, 1832. -

5,748	feet	first quality pine lumber.
29,564	"	second " "
79,215	"	third " "
417,303	"	fourth " "
306,556	"	face measure pine lumber.
1,514	"	three inch whitewood plank.
4,052	"	whitewood chair plank first quality.
4,779	"	" " second quality.
102,468	"	" half inch merchantable.
54,624	"	bass wood " "
1,142	"	" chair plank first quality.
2,542	"	" " second "
18,712	"	ash plank, merchantable.
11,679	"	cherry lumber, "
52,570	"	sawed timber.
19,286	"	maple scantling, merchantable.

Received for inspecting the same,..... $371 02

DAYTON H. FULLER,
Inspector.

Troy, January 3d, 1833.

No. 22.

IN ASSEMBLY,

January 4, 1833.

ANNUAL REPORT

Of Edward S. Fuller, an Inspector of Lumber for the city of Troy.

The following parcels of lumber inspected and measured by the undersigned, in the year 1832, and he would submit the same to the Honorable Body, the Legislature of New-York:

34,468	feet	first quality pine lumber.
89,922	"	second " "
131,592	"	third " "
731,142	"	fourth " "
567,384	"	box boards, "
202,690	"	half inch whitewood lumber, merchantable.
66,349	"	cherry lumber, merchantable.
36,784	"	maple scantling, "
45,245	"	hemlock house beam timber, merchantable.
17,028	"	half inch bass wood lumber, "
42,822	"	ash lumber merchantable,
10,863	"	black walnut lumber, merchantable.
18,307	"	white oak lumber, merchantable.
5,470	"	first quality whitewood chair plank.
2,764	"	second " " "

Received for inspecting the same,..... $686 00

EDWARD S. FULLER,
Inspector.

Troy, 3d January, 1833.

No. 23.

IN ASSEMBLY,

January 12, 1833.

REPORT

Of the Superintendent and Inspector of the Onondaga Salt Springs.

SUPERINTENDENT'S OFFICE,
Salina, January 9, 1833.

To CHARLES L. LIVINGSTON, ESQ.
Speaker of the Assembly.

SIR—

I have the honor herewith to transmit to the Honorable the Assembly, the annual report required from the Superintendent and Inspector of Salt in the county of Onondaga.

With respect,
I am your obd't. servant.
NEHEMIAH H. EARLL.

REPORT, &c.

To the Honorable the Legislature of the State of New-York.

In obedience to the sixteenth section of Chapter ninth, Title tenth of part first of the Revised Statutes, the undersigned, the Superintendent and Inspector of the Salt Springs in the county of Onondaga, do

RESPECTFULLY REPORT:

That during the year 1832, there has been 1,675,985 bushels of salt inspected in the town of Salina, as follows, to wit:

		Bushels.	*Bushels.*
In the village of Salina, of fine salt,		820,503 $\frac{4}{16}$	
" " coarse salt,		46,333 $\frac{11}{16}$	in all 866,836 $\frac{15}{16}$
" Syracuse, of " "		141,320 $\frac{13}{16}$	
" " fine "		49,838 $\frac{17}{16}$	in all 291,158 $\frac{11}{16}$
" Liverpool, of " "		.....	293,034 $\frac{11}{16}$
" Geddes, of fine salt,		.....	201,956 $\frac{11}{16}$

The same was inspected during the year, in the several months in each village, to wit:

Month.	Salina Village.		Liverpool Village.		Syracuse Village.		Geddes Village.	
	Bushels.	Lbs.	Bushels.	Lbs.	Bushels.	Lbs.	Bushels.	Lbs.
January, ..	14,271	37	4,233	0	5,213	54	2,861	52
February, .	14,595	18	4,356	32	6,004	50	1,610	16
March,....	3,618	6	3,817	44	1,589	18	2,375	10
April,.....	1,647	24	1,555	52	1,201	44	169	28
May, ...	59,654	41	31,887	32	8,047	6	10,614	33
June, ...	120,927	39	40,950	2	19,006	5	25,249	54
July,.....	116,322	38	40,353	34	18,362	33	28,143	
August, ...	117,461	44	32,667	12	33,684	52	28,348	8
September,	133,223	1	40,472	4	65,591	24	30,347	18
October,...	122,209	25	39,464	4	78,628	48	34,982	44
November,	142,432	40	45,021	48	38,594	41	29,522	42
December, .	20,472	9	8,254	12	15,242	42	7,536	6
Total,...	866,836	40	293,034	52	291,158	25	201,956	28

The manufactories are substantially the same as at the time of our last annual report, although there have been erected during the past year two or three new manufactories, and the same number have gone to decay.

The public works or pumps for the raising of salt water, are now in good repair in the village of Salina. The steam pump purchased of Joseph Jaquith and others, in the summer of 1831, was not required during the last summer by the State to raise water for the use of the village of Liverpool. In the fore part of the last season permission was given by the Superintendent to Messrs. Brown and Paddock, to occupy the same, for the purpose of making coarse salt, on their stipulating to surrender the possession thereof in as good repair as when by them taken, to the said Superintendent whenever requested. They made some improvements by adding some vats. Shortly after they put the works in operation, they had the misfortune to burst the steam boiler; in the bursting of which the small edifice in which it was placed was demolished. It is believed it will be unnecessary to rebuild the same, as the pumps at Salina are abundantly sufficient to raise the salt water or brine required for the villages of Salina, Liverpool and Syracuse.

In the month of May last, a contract was made to rebuild the water wheel, and to make the machinery for propelling the pump at the village of Geddes; the same is to be done on a more simple plan. It was expected that the materials would be prepared during the past summer, (which expectation has been realised,) and the work to be completed during the present winter, at a time less inconvenient for the manufacterers to suspend their operations, than any other season of the year. The mechanic, Mr. James J. Rice, is now engaged in completing the same, and it is confidently expected that it will be finished and again in operation previous to the first of March next.

The amount collected and now collecting for the raising of salt water during the past year, is $3,305.97, and the amount expended during the same time in tending the pumps and keeping the same in repair, amounts to $1,992.51, including the amount now expended in rebuilding the works at Geddes. The amount now paid Mr. Rice, on his contract for the said work at Geddes, being $750.

NEHEMIAH H. EARLL.
M. V. VLECK.

No. 24.

IN ASSEMBLY,

January 14, 1833.

REPORT

Of the select committee on the memorial of the Mayor, Aldermen and Commonalty of the city of New-York.

Mr. Ostrander, from the select committee to whom was referred the memorial of the Mayor, Aldermen and Commonality of the city of New-York, praying for the passage of a law relative to the police of the city of New-York,

REPORTED

That they have had the subject under consideration. The memorialists represent that for the good government of the city that certain amendments to the law regulating the police department is necessary, and that additional powers should be conferred upon the officers entrusted with the important duties of preserving the peace and good order among the inhabitants of said city.

The memorialists further represent, that they have prepared the draft of a law, which after being duly considered by the proper committee, was discussed and adopted by both branches of the common council of said city.

Your committee are of opinion from the facts set forth by the memorialists, that for the good government of the city of New-York, that additional powers should be granted to the officers of the police department.

Your committee are therefore of opinion, that the prayer of the petitioners is reasonable and ought to be granted, and ask leave to introduce a bill prepared for that purpose.

No. 25.

IN ASSEMBLY,

January 14, 1833.

REPORT

Of the committee on public lands, on the petition of Zemri Hills and others.

Mr. Mabee, from the committee on public lands to whom was referred the petition of Zemri Hills and others, of the town of Portland, in the county of Chautauque,

REPORTED:

That they have had the subject under consideration, and have come to the conclusion, that the prayer of the petitioners should be granted; the petition is for the release of a certain escheated village lot in the village of Jamestown, Chautauque county; that the fee of the said lot was vested in one Abel Palmer, who died in 1815, without heirs. That the said Abel Palmer was supported in his infancy by one of the petitioners, Zemri Hills, and by him educated, and that the release of the escheat is for the benefit of the said Zemri Hills. The committee have instructed their chairman to ask leave to bring in a bill.

No. 29.

IN ASSEMBLY,

January 17, 1833.

REPORT

Of the committee on public lands on the petition of citizens of Fort-Covington, Franklin county.

Mr. Maybee, from the committee on public lands, to whom was referred the petition of the citizens of the village of Fort-Covington, in the county of Franklin,

REPORTED:

That they have had under consideration, and carefully examined said petition, and find that the Legislature in 1831, incorporated an academy, to be located at Fort-Covington village; that the inhabitants, in pursuance of the objects contemplated by the act of incorporation, raised the sum of $2,900, as a permanent fund, and erected a stone building. A classical school has been kept since October, 1831. It further appears that the State owns within the town, certain lands reserved for military purposes, which the petitioners pray may be granted to said academy.

Your committee, having in view the objects for which the academy was incorporated, have come to the conclusion that the prayer of the petitioners may, with propriety, be granted in part, by vesting in the trustees the title to a lot in said village, of one acre and three-fourths, and have instructed their chairman to report by bill.

No. 30.

IN ASSEMBLY,

January 5, 1833.

ANNUAL REPORT

Of Francis Peckwell, Inspector-General of Staves and Heading, in and for the city and county of New-York.

To the Honorable the Legislature of the State of New-York.

Report of the Inspector-General of staves and heading in the city and county of New-York, stating the number of staves and heading culled in the city of New-York, from 1st January, 1832, to 1st January, 1833.

Amount of Staves and Heading culled in the city of New-York.

	Pipes.	W. O. Hhds.	Heading.	R. O. Hhds.	Bbls.
Staves and heading the produce of the State of New-York,	1,923,083	820,838	89,437	44,264	490,785
" " " other States,	287,026	245,331	86,012	1,038,060	159,268
Total,	2,210,109	1,066,169	175,449	1,082,324	650,053
REFUSE.					
From the State of New-York,	210,557	100,646	18,469	18,904	130,775
" other States,	53,734	83,661	31,962	191,247	116,034
Total,	264,291	184,307	50,431	210,151	246,809

6,140,093, at 10 cents per M. is..... $614 00

FRANCIS PECKWELL,
Inspector-General.

No. 31.

IN ASSEMBLY,

January 7, 1833.

REPORT

Of the select committee, on the petition of Ira Bacon.

Mr. Collins, from the select committee to which was referred the petition of Ira Bacon, praying for the passage of an act authorising the said petitioner to construct a dam across the Genesee river,

REPORTED:

That the Genesee river is a public highway, but in that part where it is proposed to erect said dam, it has never been put in a navigable state; that the country is new, and well stored with valuable pine timber; and that mills of every description are wanting for the accommodation of the inhabitants. The committee see no reason why the prayer of the petitioner should not be granted, and ask leave to introduce a bill.

No. 32.

IN ASSEMBLY,

January 7, 1833.

ANNUAL REPORT

Of Thomas L. Ostrom, an Inspector of Lumber of the city of Troy.

Report of Thomas L. Ostrom, one of the inspectors of lumber for the city of Troy, to the Legislature of the State of New-York, is as follows, viz:

Report of Thomas L. Ostrom, Inspector of Lumber for the city of Troy.

Of pine boards and plank, 1st quality,	48,570	feet, at	$31 00	per M, is	$1,503 00	fees,	$18 20
" " 2d "	71,890	"	21 00	"	1,508 75	"	26 95
" " 3d "	113,820	"	16 00	"	1,821 00	"	42 70
1¼ whitewood plank, 1st quality,	102,278	"	32 00	"	2,455 50	"	38 35
" " 2d "	83,010	"	22 00	"	1,369 50	"	31 13
Pine boards and plank, 4th or box boards, mercht.	740,073	"	11 00	"	8,140 00	"	185 00
⅞ bass wood boards, merchantable,	57,772	"	9 00	"	519 94	"	21 65
⅞ whitewood " "	174,731	"	13 00	"	2,271 70	"	65 52
⅞ cherry boards and plank, merchantable,	54,294	"	30 00	"	1,628 82	"	20 35
Ash plank, merchantable,	58,563	"	14 00	"	818 90	"	21 95
Maple joist, "	97,929	"	14 00	"	1,371 00	"	36 73
House beams, hemlock, merchantable,	85,866	"	8 00	"	686 92	"	21 45
Hemlock square timber, cubic feet, 3,788 superficial,	545,472	"	100 00	"	378 80	"	7 57
Pine " " " 2,146 "	309,024	"	180 00	"	386 28	"	4 30
Oak " " " 250 "	36,000	"	200 00	"	50 00	"	0 50
6,184	2,579,292				$24,911 11		$542 35

THOMAS L. OSTROM, *Inspector of Lumber.*

Dated Troy, December 28th, 1832.

No. 34.

IN ASSEMBLY,

January 16, 1833.

COMMUNICATION

From the Governor, transmitting Resolutions from the Governor of Illinois.

To the Assembly:

Gentlemen,

I have received the enclosed resolution from the Governor of Illinois, and I comply with the request therein contained, by transmitting the same to you.

W. L. MARCY.

January 16, 1833.

COMMUNICATION, &c.

STATE OF ILLINOIS,
EXECUTIVE DEPARTMENT.

Vandalia, Dec. 22, 1832.

To His Excellency the Governor of the State of New-York:

SIR,

Enclosed, I have the honor to transmit to you a copy of two *Resolutions*, passed by the General Assembly of this State, on the subject of the *Militia*, that you may submit the same to the Legisture of the State over which you preside.

With due respect,
I am your ob't serv't,
JOHN REYNOLDS.

Resolutions for the more perfect organization of the Militia.

Resolved by the Senate and House of Representatives, That the Senators of this State, in the Congress of the United States be instructed, and our Representatives requested, to use their exertions to procure the passage of a law, for the more perfect organization of the Militia of the several States.

Resolved, That His Excellency the Governor, be requested to transmit copies of these Resolutions to the Senators and Representatives of this State in Congress, and also to the Governors of the other States; that the same may be submitted to the Legislatures thereof for their consideration.

ALEXANDER M. JENKINS,
Speaker of the House of Representatives.
ZADOCK CASEY,
Speaker of the Senate.

No. 35.

IN ASSEMBLY,

January 18, 1833.

REPORT

Of the committee on the judiciary, on the petition of Jeffrey Chipman, in relation to the election of Justices of the Peace.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of Jeffrey Chipman, a justice of the peace of the county of Ontario, for an act explanatory of the act of 1832, respecting the election of justices of the peace,

RESPECTFULLY REPORTS:

That the petition and a certificate of the county clerk of the county of Ontario, disclose the following facts. That at the annual town election held on the third day of April, 1832, in the town of Cahandaigua, Henry Chapin, Augustine Sackett and Jeffrey Chipman, were duly elected justices of the peace for the said town. Two vacancies in the said office were to be supplied, and the term of Henry Chapin, then an incumbent of that office, would expire by its legal limitation, on the last day of December, 1832. That in pursuance of law, the persons so elected justices, together with the supervisor and town clerk of the said town, met on the 14th day of April, 1832, and determined by lot the classes to which the individuals so elected should respectively belong. That the said Jeffrey Chipman drew ballot number four, and was classed number four; Augustine Sackett drew ballot number three, and was classed number three; and Henry Chapin drew ballot number two, and was classed number two. That on the 16th day of April, 1832, the said Henry Chapin, by virtue of the said classification, took and subscribed the oath required by law.

The petitioner further states, that previous to the act of 26th of April, 1832, entitled "An act to provide for the classification of certain justices of the peace," all the proceedings relative to the said election, except the taking the oath of office by the said Augustine Sackett, were had, which were required by the laws then in force. The petitioner states, that he believes that he became, by virtue of the said election and the said proceedings which were had in pursuance thereof, vested with the office of justice of the peace of the said town for the term of four years, to commence on the first day of January, 1833. But the said petitioner says that doubts have arisen under the aforesaid act as to the tenure of his office, and as to his right to the said office, because no drawing for classes was had by the persons so elected justices, or any of them, under the said act.

The 5th section of the said act, which has most probably occasioned the doubts stated by the petitioner, is in the following words:

"Where two or more persons have been, at the last election, elected to the office of justice of the peace, the one of whom is the incumbent in the office whose term has not yet expired, the incumbent shall be considered as elected for four years from the first day of January thereafter, and the other person or persons shall be considered as elected to fill the vacancy or vacancies; and if they have not already drawn and qualified according to law, shall be permitted to do so within twenty days after the passage of this act."

Your committee having fully considered the subject matter of the petition referred to them, are clearly of opinion, that as the said election of justices of the peace and the proceedings consequent thereon, took place prior to the passage of the act of April 26th, 1832, above referred to, that the petitioner, Jeffrey Chipman, by virtue of the said election and the proceedings thereon, became and was vested with the office of justice of the peace of the town of Canandaigua, for the term of four years. The petitioner having been elected under and complied with the then existing statutory provisions, it is confidently believed by your committee, that no subsequent legislative act could divest the petitioner of an office which is recognized by the Constitution. All the power committed to the Legislature had been exercised. The said section says, "if they (meaning the said justices) have not already drawn and qualified according to law, shall be permitted to do so within twenty

days after the passage of this act." Now it appears to your committee, that from that part of the said section above quoted, it is evident that the Legislature did not believe that they could interfere in a case circumstanced like that of the petitioner, or else they would not have limited the operation of the act to those cases in which the justices had not already determined by lot the classes to which the individuals so elected should respectively belong.

Your committee, for the reasons stated, are of opinion that no legislation is necessary to enable the petitioner to sustain *his vested right* to the said office; they therefore recommend that the said petitioner have leave to withdraw his said petition.

All which is respectfully submitted.

DOCUMENTS

OF THE

ASSEMBLY

OF THE

STATE OF NEW-YORK,

FIFTY-SIXTH SESSION,

1833.

VOLUME II.

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IN ASSEMBLY,

January 11, 1833.

ANNUAL REPORT

Of the Secretary of State, giving an abstract of the returns of the county superintendents of the poor.

STATE OF NEW-YORK,
SECRETARY'S OFFICE.

Albany, January 11, 1833.

TO CHARLES L. LIVINGSTON,
Speaker of the Assembly.

SIR,

I herewith transmit an "abstract of the returns and reports" from the superintendents of the poor, so far as such returns have been received at this office.

I have the honor to be,
With great respect,
Your obedient servant,
A. C. FLAGG.

REPORT, &c.

STATE OF NEW-YORK,
SECRETARY'S OFFICE.

Albany, January 11, 1833.

The Secretary of State, in obedience to the statute for "the relief and support of indigent persons," presents to the Legislature "an abstract of the returns and reports" received from the superintendents of the poor of the several counties.

These abstracts are given in the tables marked A, B, and C.

It will be seen by reference to Abstract A, that 34,094 paupers have been relieved or supported in 51 counties, during the year ending at the date of the reports. Of this number 32,146 were county paupers, and 1,627 town paupers; and 189 were not classified in the reports. The aggregate expense for the relief and support of this number of paupers has been $267,767.80.

Abstract B, shows that there has been paid for the transportation of paupers, $4,861.11; to superintendents of the poor for their services, $10,044.47; to town overseers of the poor, $9,637.70; to justices, $2,321.71; to keepers and officers of the poor-houses, $19,563.46; to physicians, for attendance and medicine, $8,413.58; that the value of the labor of the paupers amounted to $32,849.74; the amount saved in consequence of the labor of the paupers amounted to $28,320.26; and that the average expense of supporting each pauper at the poor-houses, after deducting the earnings, is $32.41⅘ per year, or 62½ cents per week.

Abstract C, shows that the poor-houses have 5,663 acres of land attached to them, and that the aggregate cost of all the poor-house establishments in the State, is $824,010.46; that 9,625 paupers have been received into the poor-houses during the year; that there were born in the poor-houses during the same time, 253;

died during the year, 1,782; bound out, 653; discharged, 5,786; absconded, 869; number of females in poor-houses, Dec. 1, 1832, 2,322; males, 2,761—total of both sexes, 5,080; of those relieved during the year, 3,406 were foreigners; 579 lunatics; 192 idiots; and 37 mutes.

The paper marked D, shows the number of children in the poor-houses under 16 years of age, to be 1,751, of which number 1,288 have been instructed for an average period of 9 months during the year, either in the poor-houses or at the district schools.

Poor-houses have been erected in 48 counties. The distinction between town and county poor has been abolished in 35 counties, to wit: Allegany, Broome, Cattaraugus, Cayuga, Chautauque, Clinton, Columbia, Delaware, Dutchess, Erie, Essex, Franklin, Genesee, Greene, Herkimer, Kings, Livingston, Madison, Montgomery, New-York, Niagara, Oneida, Ontario, Orange, Orleans, Otsego, Putnam, Saratoga, Seneca, Sullivan, Warren, Washington, Wayne, Westchester and Yates.

Cattaraugus has abolished the distinction, but has not erected a poor-house. The following counties have erected poor-houses, but have not abolished the distinction between town and county poor, to wit: Chenango, Cortland, Jefferson, Lewis, Monroe, Onondaga, Oswego, Richmond, Schenectady, Schoharie, St. Lawrence, Tioga, Tompkins and Ulster.

The following counties have not erected poor-houses, or abolished the distinction between town and county poor, to wit: Queens, Rensselaer, Rockland, Steuben and Suffolk. In Rensselaer, a house of industry had been erected by several of the towns of that county, before the present system was adopted; and the superintendents of the county hire the support of the paupers in their charge at this house of industry, and pay $1.50 per week for the support of each pauper, in addition to all the labor which may be performed by the paupers.

An act was passed at the last session of the Legislature, directing the Secretary of State to cause to be published all the laws connected with the support and management of the poor, and to supply one copy to all of the officers who are directly connected with the support and management of the poor. The same act

provided that the Secretary of State should prepare an exposition of the six first titles of chap. 20, accompanied with suitable forms, and cause them to be published as an appendix to the poor laws. This publication makes a pamphlet of 136 pages octavo, of which the laws occupy 59 pages, and the forms and exposition 77 pages. Eight thousand copies were printed, at an expense of $1,083.66.

The Secretary of State, in order to ascertain the practical operation and effect of the poor-house system, addressed a circular, dated May 10, 1832, to the superintendents of the poor of the several counties; a copy of which is annexed, and marked F. From 37 counties full and satisfactory answers were received, accompanied in most cases with copies of the by-laws and regulations established by the county superintendents, for the government and good order of the poor-houses. The information thus obtained, enabled the Secretary of State to compare the practice under the same law in the different counties, and to prepare the forms and exposition in such manner as to produce uniformity in the system throughout the State.

The pamphlets containing the poor laws and forms, were sent to the clerks of the several counties in the month of October last, in the boxes containing the Journals and Documents of the last session of the Legislature; but could not have reached the hands of the supervisors in time to enable them to make the annual reports required of them, in those counties where all the poor are not a county charge. The neglect on the part of the supervisors subjects each delinquent to a penalty of one hundred dollars, and it is made the duty of the Secretary of State to give notice to the district attorney, who is required to prosecute for such penalty.

Hereafter, the supervisors and other officers, being in possession of the poor laws and the forms for carrying them into effect, will undoubtedly comply with their requirements; and if they do not, there will no longer remain a palliation for the delinquency, or any reason for relaxing the exactions of the law. In perfecting the poor-house system, and in obtaining accurate returns in relation to its results, the friendly co-operation of all the officers connected with the management of the poor is extremely desirable; and in accomplishing this object it would be unwise, if not unjust, to inflict severe penalties in cases where there is no consciousness of a neglect of duty. It is not probable that one in ten of the delin-

quent supervisors are aware that they are required to make an annual report of the condition of the poor accounts of the town to the clerk of the board of supervisors within fifteen days after auditing the town accounts, under a penalty of one hundred dollars. If they had the law, and the forms for complying with it, they would of course do their duty and not expose themselves to such a penalty. The Secretary of State is fully warranted in making this assertion, from his experience in obtaining the annual reports from the officers of common schools; those officers in the towns and districts are furnished with the law, and with forms and instructions for carrying it into effect and making the reports; and out of 811 towns and wards there is not a single delinquency in the annual reports of the last year. And this state of organization has been produced, not by the infliction of penalties, but by pointing out their duty to the officers, and reminding them of their delinquency whenever they were remiss. And for the last seven years the power given to the superintendent of common schools to withhold the public money from a town, when its commissioners neglected their annual report, has not been exercised in a single instance.

The Secretary of State respectfully suggests, that all delinquencies in making the annual reports for the last year, should be passed over, as not having been wilful or designed.

The paper marked E, contains the remarks of the superintendents of the poor, accompanying their annual reports.

The table marked G, is made up principally from information obtained from the superintendents, in reply to the circular of the 10th of May; and it shows the number of superintendents appointed in each county; the daily compensation allowed to them by the supervisors; and the total paid for their services for a year; and also the annual allowance to the poor-house physician. The payments to physicians, as given in the last column of abstract B, include generally as well the sums paid for medicine and attendance out of the poor-house as in it. It will be seen, by table G, that in a majority of the counties only three superintendents are appointed; and they are generally allowed from $1.50 to $2 per day—in Rensselaer $3.75, and in Montgomery and Schoharie only $1.25. The average allowance to superintendents, in the 31 counties from which returns were received, is $1.93½ per day.

In abstract A, the total number of persons relieved or supported during the year is stated at 22,909 for the city of New-York. This differs so materially from the number given in abstract A, of last year, that the superintendent of the alms-house was requested to explain the difference: his answer is given in Document E, under the head of New-York. It appears, from this explanation, that 3,574 persons have been relieved at the poor-house; and that 3,867 *families* have received more or less relief, as out-door poor; these families are estimated to average *five* persons to each family; making 19,335, as the number of out-door poor; add to this the number received into the poor-house, and it makes 22,909, the number included in abstract A, as relieved or supported during the year. The number of families relieved in the city of New-York is less, by 573, than during the preceding year, as may be seen by reference to page 40, of the report of 1832.

In the table marked H, a comparison is made between the results furnished by this report, and the reports of the two preceding years, which are all the annual reports made to the Legislature under the poor-house system. It is gratifying to perceive by this comparison, that the average expense of supporting a pauper, has diminished in three years, from $37.03 to 32.41 per year for each pauper. This is the most satisfactory test that the poor-house system is improving as it progresses; and that when this mode of supporting the poor becomes universal, and is fully understood, there will be a great saving in the expense of supporting the poor, compared with the old plan. It is believed that the saving of taxes already, to the towns and counties, is 275,000 dollars, which is about equal to all the ordinary expenses of supporting the State government.

The forms and instructions given in the appendix of the pamphlet published for the use of the officers connected with the support and management of the poor, will ensure greater accuracy, and more full returns hereafter, in relation to the expenditures for the poor in the towns, as well as in the poor-houses. In addition to the information heretofore obtained, the superintendents are required to furnish an abstract, showing the amount of excise money contributed for the support of the poor in the several towns and counties: when fully perfected, these returns will exhibit annually to the Legislature, the number of tavern and grocery licenses

granted in each town and city in the State; the sum paid for each license, and the total amount of excise money; also the amount of all town poor funds, and the annual tax, if any, upon the towns, or any of them, for the support of the poor. Only a few counties have made returns this year, the new forms not having been in the hands of the supervisors in time to enable them to give the required information. From the city of New-York, returns have been obtained by the aid of the superintendent of the alms-house, a summary of which is given in Document E. It appears from this return that 3,079 tavern and grocery licenses were granted during the year, and that the total amount received in aid of the poor from these licenses, was $30,700. The tax assessed upon the city of New-York, for the support of the poor for the same year, was $140,000. The abstract given in the same document, under the head of Dutchess county, will show the manner in which these returns are required to be made in the counties, and the nature and classification of the information to be given.

The reports heretofore have been very imperfect in relation to the expenditures for the support of paupers out of the poor-house, in counties where one is erected, as well as for town poor in those counties having no poor-house. Forms are now furnished to each supervisor which will enable him to make a return of all expenditures in the town, ascertaining the same from the town audit of the accounts of the overseers of the poor.

In obedience to the provisions of an act passed April 23, 1832, instructions are given to the overseers of the poor, which, if complied with, will furnish to the Secretary's office a list of the names of all the deaf and dumb persons in the State, as well as the age, sex and condition of each. This is to enable the superintendent of common schools to select such as may properly be admitted to the deaf and dumb schools, as State pupils.

By an act passed in 1829, supervisors are prohibited from being superintendents. At that time, superintendents of the poor were chosen solely by the boards of supervisors: the judges of the county courts, by chap. 292 of the session of 1832, are now associated with the supervisors in making these appointments, and it is respectfully submitted to the Legislature, whether the principle of exclusion adopted in reference to supervisors, should not be ex-

tended to the whole appointing power, as at present organized. It is also recommended, that superintendents be prohibited from being concerned, directly or indirectly, in contracts for supplying the poor-houses. The Secretary of State, in the exposition to the poor laws, pages 106 and 110, has ventured to suggest the adoption of these principles, even in the absence of any positive enactment in relation to them.

A. C. FLAGG,
Secretary of State.

DOCUMENTS.

(A.)

Abstract of the returns from the Superintendents of the Poor of the several counties, exhibiting the whole number of town and county paupers relieved or supported during the year ending Dec. 1, 1832, and the amount expended for their support.

COUNTIES.	Whole number of paupers relieved or supported during the year ending Dec. 1st, 1832.	Number of county paupers relieved or supported.	Number of town paupers relieved or supported.	Whole expense of support of county and town paupers for the year ending Dec. 1, 1832.
Albany,				
Allegany,	52	52	.....	1,814 36
Broome,	61	61	.....	1,295 82
Cattaraugus,	113	113	.....	2,869 44
Cayuga,				
Chautauque,	234	104	130	3,888 58
Chenango,	95	33	62	1,163 91
Clinton,	218	218	.....	3,913 50
Columbia,	521	521	.....	6,849 14
Cortland,	56	53	3	1,592 30
Delaware,	86	86	.....	2,346 61
Dutchess,	741	741	.....	11,800 00
Erie,	349	349	.....	2,220 00
Essex,	95	95	.....	2,780 02
Franklin,	99	99	.....	1,258 71
Genesee,	198	198	.....	4,283 44
Greene,	261	261	.....	4,724 19
Herkimer,	215	215	.....	1,887 71
Jefferson,	278	144	134	4,328 15
Kings,	318	318	.....	4,344 07
Lewis,	48	33	15	890 78
Livingston,	118	118	.....	1,341 08
Madison,	162	162	.....	1,896 65
Monroe,	981	681	300	9,932 13

COUNTIES.	Whole number of paupers relieved and supported.	No. of county paupers.	No. of town paupers.	Expense of support of county and town paupers.
Montgomery,	330	330	.....	5,165 77
New-York,	22,909	22,909	.....	98,223 06
Niagara,	201	201	.....	1,813 00
Oneida,	267	267	.....	6,550 00
Onondaga,	323	219	104	2,950 80
Ontario,	320	320	.....	4,861 21
Orange,	581	481	.....	8,473 74
Orleans,	45	45	.....	453 38
Oswego,	129	69	60	1,846 60
Otsego,	355	224	.....	6,061 35
Putnam,	130	130	.....	1,793 00
Queens,	189	.....	.....	3,935 11
Rensselaer,	425	225	200	6,380 26
Richmond,	47	17	30	935 22
Rockland,	129	15	114	2,240 04
Saratoga,	265	265	.....	.....
Schenectady,				
Schoharie,	57	27	30	1,741 00
Seneca,	144	144	.....	1,329 10
St. Lawrence,	143	95	47	2,000 00
Steuben,	75	75	.....	2,174 71
Suffolk,	229	3	226	5,635 41
Sullivan,	90	90	.....	2,157 99
Tioga,	65	47	18	966 54
Tompkins,	202	118	84	3,070 06
Ulster,	136	66	70	3,345 00
Warren,				
Washington,	291	291	.....	4,262 51
Wayne,	235	235	.....	2,913 30
Westchester,	400	400	.....	7,943 00
Yates,	83	83	.....	1,106 00
	34,094	32,146	1,627	$267,767 80

(B.)

The following table shows the amount paid in the respective counties, for transportation of paupers, to superintendents, overseers, justices, keepers, &c., and also the value of the labor of the paupers, the average cost of supporting each pauper, for one year, and one week.

COUNTIES.	Amount paid for transportation of paupers for the year ending December 1, 1832.	Allowance to superintendents.	Allowance made to overseers.	Allowance made to justices.	Allowance made to keepers and officers.	Actual value of the labor of the paupers.	Amount saved in consequence of labor of paupers.	Sum actually expended over and above the labor and earnings of the paupers, for each person during the year.	Actual weekly expense of keeping each person.	Allowance to physicians.
Albany, ...										
Allegany,....	$75 00	$269 00	$178 72	$35 75	$300 00	.....	.....	$27 00	$51	$185 89
Broome,.....	44 50	92 50	87 19	12 37	175 00	.....	.....	31 89	61.3	66 50
Cattaraugus, .	60 00	246 92	.....	.....	.....	.....	.....	.....	.....	249 59
Cayuga, ...										
Chautauque,..	.....	.....	356 00	69 94	.....	.....	.....	.....	.....	.....
Chenango, ...	50 43	120 00	.....	.....	350 00	$473 00	$685 25	18 55	35	44 00
Clinton, ...	102 12	184 32	469 81	135 01	382 50	2,191 37	2,191 37	18 51	35.6	.....
Columbia, ...	242 76	285 76	236 75	70 75	476 00	1,200 00	1,200 00	23 40	45	395 94
Cortland, ...	11 00	156 00	10 25	9 81	56 25	52 00	104 00	36 66	70.5	68 13
Delaware, ...	34 65	115 00	.....	.....	500 00	.....	.....	49 44	97	.....

COUNTIES.	Amount paid for transportation of paupers.	Allowance to superintendents.	Allowance to overseers.	Allowance to justices.	Allowance to keepers.	Value of labor of paupers.	Amount saved by labor.	Sum expended above the earnings of paupers, for each person.	Weekly expense of each person.	Allowance to physicians.
Dutchess,	.....	696 50	$500 00	142 27	$700 00	1,924 00	$3,000 00	22 88	44c.	400 00
Erie,	142 00	120 00	.....	5 00	400 00	.....	.....	34 32	66	170 00
Essex,	.....	166 00	75 00	60 00	.....	.....	.....	.....	.....	.....
Franklin,	40 00	65 00	64 99	46 12	185 31	50 00	50 00	16 74	32.2	22 50
Genesee,	137 92	133 00	*990 00	.....	330 00	.....	.....	48 36	93	100 00
Greene,	.....	178 00	798 96	133 28	275 00	2,500 00	1,500 00	20 82	41	280 98
Herkimer,	49 95	90 00	170 41	47 25	415 50	77 64	77 64	20 28	39	128 00
Jefferson,	66 00	99 19	234 26	60 56	604 00	200 00	200 00	53 21	1 02	101 50
Kings,	50 00	600 00	.....	.....	370 00	224 67	750 00	32 66½	62.5	175 00
Lewis,	9 00	45 00	.....	.....	350 00	175 00	175 00	56 37	1 08.4	.....
Livingston,	72 00	93 26	312 14	.....	.....	.....	.....	27 09	52	58 49
Madison,	133 15	125 00	190 35	49 56	325 00	350 00	500 00	18 32½	35	110 00
Monroe,	152 52	165 00	749 27	160 00	400 00	290 00	440 00	27 04	52	331 00
Montgomery	60 00	240 56	313 49	61 05	500 00	263 00	350 00	20 68	39.7	.....
New-York,	668 47	1,600 00	.....	.....	2,946 60	13,773 00	7,538 00	38 40	74	3,163 65
Niagara,	140 74	99 00	160 48	52 43	530 00	680 00	1,096 00	36 36½	70	.....
Oneida,	220 00	328 88	1,256 00	200 00	957 00	....	.....	30 00	58	.....
Onondaga,	304 68	195 00	.....	.....	509 00	500 00	500 00	36 88	71	250 00
Ontario,	169 09	120 00	.....	.....	300 00	1,300 00	2,132 00	29 82½	57	150 00
Orange,	317 52	344 00	368 75	237 46	818 50	2,114 06	1,628 00	25 50	49	632 88

Orleans, ...	24 00	211 00	60 25	12 29	325 00	100 00	100 00	32 08	42.5	187 13
Oswego, ...	105 23	218 65	.....	.....	300 00	240 00	335 00	33 80	65	125 00
Otsego, ...	115 41	200 51	167 35	77 19	350 00	459 00	336 00	28 91½	55.5	.....
Putnam, ...	13 75	107 75	47 37	7 50	235 00	693 00	50 00	15 44	29.7	.....
Queens, ...	.....	.....	306 35	229 12	.....	.....	.....	.....	.....	55 00
Rensselaer, ..	60 00	395 00	.....	.....	.....	.....	.....	.....	.....	.....
Richmond, ...	30 25	28 00	9 25	.....	867 72	.....	.....	41 50	79.6	.....
Rockland, ...	.....	78 00	76 07	22 00	.....	.....	.....	.....	.....	112 97
Saratoga, ...	133 00	93 00	.....	.....	632 00	500 00	500 00	33 68	65	130 00
Schenectady, .										
Schoharie, ...	26 50	40 00	32 25	6 00	.....	100 00	100 00	39 00	75	.....
Seneca, ...	53 36	100 79	30 00	10 00	325 00	250 00	500 00	32 06	61.5	85 00
St. Lawrence,	123 90	200 00	.....	.....	400 00	200 00	200 00	31 20	60	125 00
Steuben, ...	5 00	167 00	27 17	12 58	42 58	.....	.....	.....	.....	.....
Suffolk, ...	.....	.....	447 63	21 65	.....	.....	.....	.....	.....	27 18
Sullivan, ...	52 65	147 00	17 00	19 00	249 00	30 00	40 00	50 00	97	.....
Tioga, ...	64 76	292 00	.....	.....	291 00	60 00	100 00	36 03	69.3	60 00
Tompkins, ...	65 57	125 38	99 74	48 44	230 00	150 00	150 00	33 18	63.6	128 25
Ulster, ...	168 17	148 50	103 25	167 96	590 50	250 00	130 00	24 59	47	.....
Warren, ...										
Washington, .	114 75	147 00	273 17	89 37	375 00	450 00	450 00	25 60	49	100 00
Wayne, ...	109 23	126 00	.....	.....	365 00	230 00	412 00	39 36	75.5	94 00
Westchester, ..	194 92	156 00	*378 03	.....	590 00	700 00	700 00	33 07	63.5	100 00
Yates.....	47 25	90 00	40 00	10 00	240 00	100 00	100 00	45 50	87.5	.....
	$4,861 11	10,044 47	$9,637 70	$2,321 71	$19,563 46	$32,849 74	$28,320 26	32 00	61.5	$8413 58

* Overseers and justices.

ABSTRACT. (C.)

COUNTIES.	Acres of land attached to poor-house.	Value of poor-house establishment.	Number of paupers received into the poor-house during the year.	Born in the poor-house during the year.	Died during the year.	Bound out during the year.	Discharged during the year.	Absconded during the year.	Number of persons in the poor-house, Dec. 1, 1832.			Of the persons relieved or supported during the year, there were.			
									Females.	Males.	Total.	Foreigners.	Lunatics.	Idiots.	Mutes.
Albany,	60	18,000 00	.....	....	.....	....	.....	....	.....	.....	.....	.....	....	....	..
Allegany,	170	4,000 00	52	1	5	4	12	2	13	18	31	2	2	1	1
Broome,	130	3,000 00	47	....	5	6	21	5	17	7	24	5	2	3	..
Cattaraugus,	.....	.....	.....	....	13	9	60	....	.....	.....	.....	2	3	4	..
Cayuga,	83	5,000 00	.....	....	.....	....	.....	....	.....	.....	.....	.....	....	....	..
Chautauque,	90	4,450 00	.....	....	.....	....	.....	....	.....	.....	.....	.....	....	....	..
Chenango,	173	4,000 00	34	3	6	....	12	5	34	36	70	4	6	7	..
Clinton,	90	4,344 00	218	5	13	4	102	20	32	31	63	112	5	5	..
Columbia,	200	14,200 00	214	12	26	27	120	60	76	81	161	33	8	....	1
Cortland,	¼	800 00	10	3	1	4	6	7	7	4	11	1	....	1	..
Delaware,	105	4,934 37	30	1	7	2	19	4	31	17	48	6	4	8	..
Dutchess,	107	15,000 00	591	6	*222	45	250	75	56	94	150	85	14	23	..
Erie,	80	11,436 31	319	4	21	10	217	55	10	40	50	163	7	3	..
Essex,	108	4,000 00	.....	....	.....	....	.....	....	.....	.....	.....	25	2	1	..
Franklin,	106	2,250 00	60	2	2	....	10	24	27	14	41	26	3	....	..
Genesee,	105	4,000 00	105	4	4	1	60	12	28	38	66	2	7	6	1

Greene, ...	111	6,000 00	261	6	17	....	45	34	70	90	160	7	3	4	1
Herkimer, ...	25	1,500 00	131	5	6	11	30	79	36	25	61	3	6	2	2
Jefferson,.....	153	2,500 00	159	3	9	6	95	....	36	31	67	51	7	1	2
Kings, ...	70	15,000 00	183	6	40	2	159	8	39	57	96	97	3	2	..
Lewis, ...	45	2,600 00	32	2	2	2	25	2	8	9	17	8	4	6	..
Livingston, ...	136	7,000 00	70	1	13	5	36	11	22	31	53	18	5	2	1
Madison, ...	125	6,672 00	122	4	13	4	20	24	24	34	58	3	13	3	..
Monroe,.....	47	4,000 00	263	2	6	6	160	17	32	40	72	.....	1	2	3
Montgomery, ...	150	7,000 00	157	5	25	17	91	13	51	57	108	37	7	12	2
New-York, ...	248	530,000 00	3,574	77	982	241	2,501	100	777	968	1,745	1,680	307	4	8
Niagara, ...	93	2,000 00	151	1	6	10	92	32	25	36	61	124	1	4	1
Oneida, ...	115	7,000 00	176	11	13	2	181	6	68	40	108	40	14	2	..
Onondaga, ...	140	5,500 00	238	7	27	26	174	18	27	51	78	70	16	3	1
Ontario,.....	212	12,175 00	154	6	11	15	66	30	45	39	77	24	7	11	2
Orange, ...	128	12,500 00	301	15	49	42	74	18	100	113	213	24	12	6	4
Orleans,.....	93	5,303 78	45	1	.....	6	30	2	7	6	13	20	2	4	2
Oswego,.....	61½	3,250 00	83	3	6	3	76	1	25	18	43	60	2	1	.
Otsego, ...	157	10,225 00	224	8	12	5	96	10	56	46	102	11	12	8	1
Putnam,.....	196	7,300 00	33	3	9	7	7	10	34	35	69	1	2	1	1
Queens,.....	.....	.....	34	....	2	2	8	2	9	11	20	9	....	....	..
Rensselaer, ...	.....	.....	275	15	40	25	145	5	100	105	205	250	20	2	..
Richmond,.....	96	4,500 00	21	....	3	....	14	8	8	15	23	4	4	1	..
Rockland, ...	.....	.....	.....	....	.....	....	.....	....	.....	.....	.....	.....	....	....	..
Saratoga,.....	176	7,000 00	150	2	20	9	109	18	74	61	135	54	6	9	..
Schenectady,....	90	3,500 00	.....	....	.....	....	.....	....	.....	.....	.....	.....	....	....	..
Schoharie,.....	129	2,250 00	40	1	8	5	12	4	18	15	33	8	3	2	1

* 79 by cholera.

COUNTIES.	Acres of land attached to poor-house.	Value of poor-house establishment.	Number of paupers received into the poor-house during the year.	Born in the poor-house during the year.	Died during the year.	Bound out during the year.	Discharged during the year.	Absconded during the year.	Number of paupers in the poor-house, Dec. 1, 1852.			Of the persons relieved or supported during the year, there were,			
									Females.	Males.	Total.	Foreigners.	Lunatics.	Idiots.	Mutes.
Seneca, ...	126	5,250 00	97	3	12	9	59	28	17	13	30	24	5	1	1
St. Lawrence,...	80	3,000 00	143	3	8	8	85	4	21	22	43	94	1	....	1
Steuben, ...	.....	.....	.....	....	10	4	27	1	14	61	75	.....	3	....	..
Suffolk, ...	.....	.....	.....	....	.....	....	.....	....	.....	.....	.....	.....	2	....	1
Sullivan, ...	100	2,200 00	44	1	4	3	27	1	9	11	20	4	2	3	..
Tioga,.	50	1,600 00	60	....	4	2	38	2	7	13	20	8	2	....	..
Tompkins, ...	100	5,000 00	83	8	8	5	66	22	25	25	50	24	8	5	1
Ulster, ...	149	7,000 00	96	1	17	4	84	13	50	62	112	37	8	12	..
Warren,.....	200	2,000 00	.....	....	.....	....	.....	....	.....	.....	.....	.....	....	....	..
Washington, ...	140	8,500 00	108	1	13	14	27	8	42	85	127	18	19	2	..
Wayne, ...	150	6,270 00	174	4	6	10	92	18	36	36	72	19	1	5	1
Westchester,....	40	15,000 00	200	6	48	25	102	47	72	101	173	83	11	10	2
Yates, ...	125	4,000 00	63	1	8	6	44	4	7	19	26	31	3	....	..
	5,663	$824,010 46	9,625	253	1,782	653	5,786	869	2,322	2,761	5,080	3,406	579	192	37

(D.)

The following table shows the number of children in the poor-houses under 16 years of age, and the number instructed during the year.

COUNTIES.	Females under 16. Dec. 1.	Males under 16. Dec. 1.	Total of both sexes.	Number instructed during year.	Time of instruction.
Albany,					
Allegany,	5	4	9	4	3 months.
Broome,	4	2	6	10	8 "
Cattaraugus,	.....	.....	.....	.....	No poor-house.
Cayuga,					
Chautauque,					
Chenango,	15	20	35	13	5½ months.
Clinton,	13	14	27	10	12 "
Columbia,	16	32	48	60	12 "
Cortland,	6	1	7	5	3 "
Delaware,	6	8	14	.....	Sent to district school 6 months.
Dutchess,	15	57	72	85	10 months.
Erie,	3	9	12	.....	No instruction reported.
Essex,	.....	.....	.....	.....	Poor-house recently erected.
Franklin,	26	8	34	15	8 months.
Genesee,	11	18	29	20	10 "
Greene,	21	28	49	50	9 "
Herkimer,	10		16	.....	
Jefferson,	10	18	28	8	6 months.

COUNTIES.	Females under 16. Dec. 1.	Males under 16. Dec. 1.	Total of both sexes.	Number instructed during year.	Time of instruction.
Kings,	13	24	37	22	12 months.
Lewis,	1	3	4	4	At common school.
Livingston,	7	5	12	8	
Madison,	5	7	12	20	10 months.
Monroe,	13	19	32	47	12 "
Montgomery,	6	7	13	36	10 "
New-York,	223	441	664	300	12 "
Niagara,	11	20	31	25	6 "
Oneida,	25	20	45	19	9 "
Onondaga,	17	19	36	66	12 "
Ontario,	16	12	28	25	7 "
Orange,	29	26	55	87	12 "
Orleans,	3	1	4	10	6 "
Oswego,	6	7	13	15	9 "
Otsego,	12	20	32	.....	No instruction reported.
Putnam,	18	23	41	30	12 months.
Queens,	2	3	5	.....	Children recently sent to poor-house.
Rensselaer,	28	25	53	40	12 months.
Richmond,	.....	2	2	.....	
Rockland,	.....	.....	.....	.....	No poor-house.
Saratoga,	24	30	54	48	12 months.
Schoharie,	5	4	9	.....	No schooling reported.
Seneca,	6	5	11	21	12 months.

Steuben,	.....	.....	.....	.....	No poor-house.
St. Lawrence,	9	9	18	18	6 months.
Suffolk,	.....	.....	.....	.....	No poor-house.
Sullivan,	4	2	6	9	7 months.
Tioga,	2	1	3	4	4 "
Tompkins,	11	7	18	23	5 "
Washington,	13	24	37	30	12 "
Wayne,	15	17	32	53	12 "
Westchester,	20	33	53	50	12 "
Yates,	2	3	5	3	3 " at district school.
	707	1,044	1,751	1,288	9 months general average.

(E.)

Remarks of Superintendents, accompanying their annual reports.

CLINTON.

The superintendents request that the Secretary of State would cause a law to be passed, that the superintendents should hold their offices until the first of January in each year, as other county officers do, that they may settle their accounts with the supervisors.

CHENANGO.

You will perceive the report is a partial one. Not having the reports from the supervisors, we could only make returns of county paupers. The supervisors, it is presumed, did not receive the poor laws and your instructions in time to make their reports.

COLUMBIA.

I enclose herewith the report of the superintendents of the poor of Columbia county. All the blanks have been filled, excepting that of a second average of the yearly and weekly expense, including persons in and out of the poor-house. The superintendents had not the means of ascertaining the number of weeks that support had been furnished to paupers out of the poor-house. Three persons only having been supported the whole year out of the poor-house, all the other cases being temporary relief. The amount paid for such relief for 147 persons, exclusive of officers' fees, was $1,404, of which sum the amount paid to physicians was $314, while the whole amount of medical advice furnished for 374 persons at the poor-house was $81. Of all the persons sent to the poor-house, more than half have been reduced to pauperism, directly or indirectly, by intemperance. Although the statute authorizing the overseers to forbid the sale or the giving of ardent spirits to habitual drunkards, was well intended, it is an authority that is measurably useless. If the magistrate could be authorized as (by title 5, sec. 9) they are in relation to disorderly persons, much good would be the result. A vast proportion of drunkards not having property, utterly neglect to provide for the support of their families; nay, more, they eat and live on that furnished by the charity of the neighborhood for their families. The statute ought to provide directly, and not by implication, that the services of such persons should be effectually under the control of the persons having the charge of the support of their families, (overseers, &c.)

The poor-house system is daily becoming more popular, from satisfactory experience of its bettering the condition of the poor, and vastly lessening the expense of their support.

DUTCHESS.

The report must be very imperfect, by reason of the paupers from nearly three-fourths of the towns not being received into the county poor-house until the 15th January, 1832, and some not until the 1st of February following.

***ABSTRACT**, showing the number of licenses granted, and the amount of excise money collected in the several towns in the county of Dutchess, and also the amount of vested poor money, and the sum annually raised by tax for the support of the poor in each town, for the year* 1832.

TOWNS.	Taverns.	Groceries.	Total paid for licenses by tavern-keepers.	Paid by grocers.	Total amount of excise money.	Tax upon town for poor.	Aggregate of excise and poor money collected in each town.
Fishkill,.....	23	10	115 00	50 00	165 00	*	†
Poughkeepsie,..	14	11	77 00	65 00	142 00		
Hyde-Park,....	4	4	21 00	20 00	41 00		
Rhinebeck, ...	6	9	30 00	45 00	75 00		
Red-Hook, ...	14	11	70 00	55 00	125 00		
Pine-Plains, ...	5	6	25 00	30 00	55 00		
Milan, ...	9	7	45 00	35 00	80 00		
Stanford, ...	2	4	10 00	20 00	30 00		
Clinton, ...	2	7	10 00	35 00	45 00		
Pleasant-Valley,	4	5	27 00	25 00	52 00		
La Grange, ...	6	0	30 00	.....	30 00		
Beekman, ...	3	4	15 00	20 00	35 00		
Pawlings, ...	1	6	5 00	30 00	35 00		
Dover,.....	7	6	35 00	30 00	65 00		
Washington, ...	5	2	32 00	12 00	44 00		
Amenia,.....	3	5	15 00	25 00	40 00		
Northeast,.....	4	1	20 00	5 00	25 00		
Union-Vale, ...	4	3	23 00	15 00	38 00		
	116	101	$605 00	$517 00	$1,122 00		

* Distinction between town and county poor abolished 1st April, 1831.

† Whole amount raised by tax for support of poor in 1832, $12,660, part of which was, however, for deficiency in 1831.

The accounts and the expense of supporting the poor being confused in consequence of the late adoption of the county poor-house system, the superintendents hope by next year to be more specific in their report.

ERIE.

The keeper's wife has made up, and caused to be made by the family in the poor-house, without extra expense, 230 garments of wearing apparel and bedding, &c. besides the clothes which have been furnished ready made.

GENESEE.

The annexed report is imperfect for want of proper information in regard to temporary relief furnished to the poor. Some justices' orders remain unpaid, for want of funds in the treasury, and their amount cannot be estimated. There are also some of the keeper's certificates for transportation of the poor still unpaid, which are not embraced in the sum of expenses set forth. We have not been able to make an estimate of labor performed by paupers, or the average saving in consequence of any labor. Most of them are either aged or infirm, and but few can work on the farm, and those who can labor are mostly employed in taking care of such as require help. We have not yet connected with the poor-house establishment any mechanical business, by which the young and weak can be employed, and savings from their labor realized.

JEFFERSON.

The average expense is increased in consequence of the great number of foreigners who come in from Canada, sick and naked, and have to be cured and clothed, and stay but a short time.

KINGS.

In the discharge of the duties of auditors of overseers and justices accounts, the superintendents allowed as follows, since the passage of the act making it our duty to audit and settle: To an overseer for supplying an order granted by a justice, 50 cents, and the like sum for granting an order for a pauper to be received into the poor-house. If they shall supply or grant two or more orders on any one day of either, that they be allowed one dollar for a days' service, as the law directs. It had also been the practice, heretofore, for two overseers of the same town to sign the order to receive a pauper into the poor-house, for which they each charged and received one dollar. We have informed the overseers that we will not allow but one for that service; that is, each overseer to perform that duty for himself.

The justices have heretofore charged and been allowed 50 cents for granting each order. There have been thirty given in one day by one justice in the town of Brooklyn; from three to six cases a day in the winter is common. We have adopted the following rule in auditing, viz: 50 cents for the first order on any day; for the next four orders on the same day, 25 cents each; for all additional, 12½ cents each.

These decisions have, in the cases of two overseers, whose united accounts for services rendered, amounting to $370, reduced them

to $247.50. And in the case of one justice, whose account was rendered at $126, reduced it to $88.75.

In making these rules, we have been governed by a due regard to the spirit of the law, and the interest of all the parties concerned. We do not believe that the law contemplates making these offices the sources of great revenue. We understand that our decisions have given great offence to the incumbents. Perhaps some specific legislation on this subject may be necessary, to avoid controversies.

LIVINGSTON.

The number of paupers relieved or supported at the poor-house during the year ending the 6th of Nov. last, was 118.

The whole expense of such support was		$1,341 08
Of this sum there was paid for the transportation of paupers, ...	$72 00	
Allowance to superintendents for their services,	93 26	
do keepers, ...	312 14	
do physicians, for services and medicines,.....	58 49	
Paid for a span of horses, wagon and harness, .	294 25	
for provisions, clothing, furniture, labor, &c.	510 94	
		$1,341 08

This sum, which has been actually expended over and above the labor and earnings of the paupers and the produce of the farm, divided by 49¼, the average number kept at the poor-house during said year, gives $27.09 per year, or fifty-two cents per week as the actual expense of keeping each pauper of the above class.

Relief has also been afforded to 28 paupers not brought to the poor-house, and the whole expense of such relief amounts to

		$509 21
It consists of allowance to justices,.....	$20 00	
do overseers,.....	8 25	
do physicians,.....	42 95	
do for temporary relief,...	438 01	
		$509 21

This sum divided by 7¼, the average number of paupers to whom relief has been afforded out of the poor-house, gives $70.23 per year, or $1.35 per week, as the average expense of supporting a pauper of the latter class.

The whole number of paupers relieved or supported in the county during the year, is 146, and the whole expense of such support, $1,850.29. This sum divided by 57¼, the average number supported during the year, gives $32.60 per year, or 62.7 cts. per week to each pauper.

If we add $420, the interest on the establishment at 6 per cent, it increases the total expense to $2,270.29, and gives $40 a year, or 77 cents a week to each pauper.

MONROE.

You will perceive we do not state the number of foreign paupers. This we cannot do, as the accounts and records kept by our predecessors do not show it. We can say, however, that by far the greater part of them are foreigners, and this is an evil that calls loudly for redress. Many Irish and English families apply for relief the very day they arrive here. And having been parish paupers in their own country, they have no pride to make them exert themselves for their own support.

NEW-YORK.

The communication which follows was received from the superintendent of the alms-house.

ESTEEMED FRIEND,

I received yours of the 25th ult. with some blanks and the poor laws. I have delayed answering your communication, waiting for the information relative to licenses, which accompanies this. The annual return from the alms-house I believe was mailed the same date of yours, which I hope you have received; there are no printed documents relative to the poor in the city of New-York. I have obtained a copy of the last annual report of the comptroller, which I send you. From what experience I have had as superintendent of the poor for nearly two years, I have no hesitation in saying, that the present system might be much improved. The number of male adults at present in the alms-house, is 572, out of which number there are not ten who can be called sober men. The number of female adults is 601, and I doubt whether there are fifty of them who can be called sober women. I consider the present pauper law as calculated to encourage intemperance, from the fact that the moment they become habitual drunkards, the public provides an asylum for them, at which they remain during their pleasure. When they are ordered at work many of them take their discharge. They soon become miserable objects about our streets, and are sent again to the alms-house, and by the time they get well take their discharge, and so on from year to year. I believe that all persons whom the public support as habitual drunkards, ought to be committed to a work-house for at least twelve months, where they could be compelled to earn their living; when their time expires, if they take their discharge, and again become intemperate, commit them again for twelve months, and so continue.

I send you a weekly return of our alms-house, ending on the 5th inst. by which you will perceive we have 1,852 paupers; 1,017 of whom are natives, (this last number includes all the children born of foreign parents,) 835 are foreigners, who travel here from all parts of the United States. There can be no doubt that the alms-house originally was intended for old respectable poor; but as at present organized, it has become an asylum for thieves, prostitutes, and the worst of the human family. The police magistrates, by the present law, have the power to commit vagrants to

the alms-house, and in the exercise of that power they commit men and women who have in some cases been discharged from the penitentiary but a few days, and in some others on the same day. The police, in my judgment, ought not to have control of the inmates of the alms-house. They have in many instances committed persons for six months who were not residents of the county, and in some where they were not residents of the State.

Bellevue, January 7th, 1833.

Weekly Report of the state of the Alms-House.

Number of paupers in the house,	1,852
Viz:	
Men, 572; women, 601; boys, 448; girls, 231—total,	1,852
Number of natives, 1,017; foreigners, 835—total,	1,852
Children at nurse: boys, 69: girls, 67—total,	136
Received in the house, including hospital patients: men, 26; women, 23; boys, 8; girls, 9—total,	66
Discharged: men, 18; women, 6; boys, 5; girls, 2, } total,	41
Died, 7; 0; 3; 0, }	
Increase,	25

Bellevue, January 5th, 1833.

JAMIESON COX,
Superintendent.

A. C. Flagg,
Sec'y of State, Albany.

A report in relation to the excise money, and other poor moneys, in the city and county of New-York, exhibits the following facts:

Total number of tavern licenses granted,	2,917
do store licenses,	162
Total paid for licenses by tavern-keepers,	$29,170 00
do do store-keepers,	1,620 00
Total amount of excise money,	$30,790 00
Tax upon city for support of poor,	140,000 00
Aggregate of excise and poor tax paid to the city of New-York for the year ending Dec. 1832,	$170,790 00

I received yours of the 9th inst. in which you apprehend there is a mistake in my annual report, respecting the number of paupers relieved or supported during the year. I have given you the whole number that have been received in the alms-house during the year, say 3,574; also the number of families of out door poor at 3,867, supposed to average 5 to each family, will make 19,335; which together will make 22,909, the number in report. Last year I made the report by direction of the commissioners, and am

under the impression that the number of families was added to the number received in the alms-house during the year, without averaging the same.

Bellevue, January 18th, 1833.

A. C. FLAGG.

NIAGARA.

The within report does not include any relief or expense out of the poor-house, afforded by overseers to paupers in temporary cases, as we have not the means of acquiring the proper amount; besides the expenses of the poor-house we have only included the services of overseers and justices.

ONONDAGA.

The preceding part of this report embraces the expenses at the poor-house exclusively.

The number of paupers for which temporary relief has been afforded, and not included in the account at the poor-house, is 187, of which number 85 are county paupers, and 102 are town paupers; 126 are males, and 61 are females. For their relief and support there has been paid in the whole,..... $2,646 45

In manner following, to wit:

To physicians, ...	$533 24	
justices,.....	80 69	
overseers, for personal services,.....	261 52	
constables, ...	25 00	
overseers, for boarding, nursing, clothing, funeral expenses, &c.	1,746 00	
		$2,646 45

ONTARIO.

Our views of the estimated amount saved by the labor of the paupers, must include the board of persons who must have been employed to do the labor, as well as for their services.

As to the length of time each pauper has been supported out of the poor-house, we have not the items of ascertaining; therefore, we cannot give the average expense of such paupers by the year or week.

The average number supported in the poor-house for the year past, ending on the date hereof, is 91, and the sum total expended in their support is $2,714.17. This sum includes supplies, physician's salary, keeper's salary, and hired labor and transportation of paupers.

OSWEGO.

In the inclosed report we have not attempted to make the ratio of expense per week on such paupers as were supported out of the poor-house, having no data by which to make the estimate. You

will perceive that but half of our supervisors made any report at all, and most of the reports which were received were so imperfect that we had no small labor to extract what we have sent; and there being no definite number of weeks or days given by the supervisors, in which their paupers were supported, it was impossible for us to make a ratio.

OTSEGO.

The superintendents cannot give the average cost of supporting the poor out of the poor-house, nor can they arrive at any certainty as to the number of poor now relieved or supported in the several towns, under orders from justices. In making the estimate of expenses at the poor-house, they have obeyed the instructions of the Secretary of State, including such charges and such only as he pointed out.

The superintendents would also remark and suggest to the Secretary of State, the propriety of having provision made in the poor law to fill vacancies made either by non-acceptance, resignation or otherwise.

PUTNAM.

We have improved the farm, in buildings and fence, about 300 dollars, have raised about 1,200 bushels of potatoes, 3,000 pounds of pork, 14 loads of corn, fatted 6 cows, milked 13, together with various other productions and improvements, all performed by the paupers with the expense returned in our report.

RICHMOND.

The sum of $867.72, and stated as having been paid to keepers and officers, includes the sums paid,

For keeper of the county house for one year,	$256 00
physician,	25 00
servants' wages,	25 00
insurance,	10 00
blacksmith's bill,	13 25
50 boards,	8 00
ox cart,	35 00
3 cows,	66 00
manure for farm and farm mill,	100 00
clothing and provisions,	329 47

We cannot form an accurate estimate of the value of the labor of the paupers. Some of them are helpless, and very few that can do any thing; even the women cannot mend their own clothes.

SARATOGA.

Remarks.—The above report includes our whole year's expenses of supporting the poor in the poor-house, immediately preceding the 13th of November last, at which date our yearly accounts were rendered to the supervisors. The superintendents have not

been enabled to make a report of the expenses in the several towns, as those accounts are many of them still back, and many of the charges of the justices and overseers of the poor are blended with other charges, and have been audited by the supervisors. The superintendents would suggest the propriety of an alteration in the law, making the time of reporting to the Secretary the same as to the supervisors, or during the month of November, instead of December, as a matter of convenience to the superintendents. They also take the liberty to suggest, if practicable, some alterations in the law as respects the making of ten dollar orders by the justices in the several towns. The superintendents have reason to believe that many, if not most of those orders, originate in the sympathy of friends or neighbors; they increase the expenses of supporting the poor to a very considerable extent, and it is very doubtful whether in most cases the comfort of those relieved is increased; and they will also repeat a former suggestion, as to the propriety of authorizing the justices to send vagrants to the poor-house, under any circumstances, as in most cases as soon as they obtain a little rest, together with some nursing and medicine, and perhaps a little clothing, they run away; and instead of its serving as punishment, it is actually holding out to such persons an inducement to continue in habits of idleness.

On the subject of excise, the superintendents have not been able to obtain the necessary information to enable them to answer all the requests of the Secretary of State. We can only state the gross amount paid into the county treasury during the past year, which is $962.50.

SENECA.

The allowances to overseers and justices is imperfect, a part of their bills only having been audited by us, and those extending no farther back than the 23d of February last.

Two of the paupers relieved have been supported out of the poor-house—one, an idiot, at 75 cents, and the other, a lunatic, at $1.25 per week.

A school has been kept in the establishment during the whole of the past year by one of the paupers, competent to the task, and all the children in the house have regularly attended. Their improvement has been equal to that made in most of our common schools.

The establishment has been well supplied with religious instruction. There has been preaching once a fortnight during the past year.

We have received much less benefit from the labor of the paupers during the past than the previous year. The permanent male paupers are generally old or infirm, or both, or under seven years of age.

The superintendents do not hesitate to say, that it is their firm belief that two-thirds if not three-fourths of the pauperism in the county arises directly or indirectly from intemperance.

STEUBEN.

On the first of March last there were 25 permanent paupers which were contracted to be kept until 1st March next, including all expenses except funeral, for the sum of.....	$1,029 50
From 1st March until 16th November, when we made our report to the supervisors, the board relieved 50 additional paupers, the whole expense of which was	745 21
Probable amount required until 1st March next, ...	400 00
Aggregate, ...	$2,174 71

The supervisors of this county being ignorant of their duty, have neglected to report to the clerk of supervisors the number of town poor, expenses, &c.; therefore we are not able to give the expense.

The board of supervisors still refuse to build a poor-house, and the time being fixed on the 1st of March for contracting the poor, makes it difficult to bring the expenses of the year up to the 1st December, as required by the Secretary of State. The average expense of the county poor for the last year is 78 cents for each pauper per week.

SULLIVAN.

I enclose you our annual report. Twenty-four persons have received temporary relief during the past year, which has cost the county about $800. As every person connected with the poor has been furnished with the poor laws, it is expected we shall reduce our expenses nearly one-quarter the ensuing year.

TIOGA.

In the average expense of supporting a pauper, including as well those out of the poor-house as those supported in it, we have added to those in the town three lunatics, or rather two lunatics and one nondescript, and no more. Superintendents' further orders for temporary relief are not included. Superintendents met last month with the board of supervisors, for the purpose of auditing the accounts of the poor, and the amount of accounts then audited, (some two and some three years old) was about $1,000. This sum embraces all the orders for temporary relief the year past, and overseers' and justices' personal services, and is not included either in our report or that of the supervisors.

WAYNE.

The superintendents are not able to state the precise number of paupers supported out of the poor-house at this time.

WESTCHESTER.

We enclose you our report, closing the year the 1st November last, which was the time we closed our accounts last year; so that the report presents the history of the institution for one year.

We enclose also an abstract of the excise money from 16 of our towns.

Our poor-house still continues to give very general satisfaction in our county, and its character stands high in the minds of the people, and that the expectation of its friends will be fully realized.

We have received the poor laws in a pamphlet form, with explanations and forms, which appear to be well calculated to produce a uniform practice under the law, and may be considered as a great help to those who execute the law.

In your exposition it appears that the superintendents have no power to draw money from the county treasurer in anticipation of purchases. In our county the practice has been different. The superintendents have drawn from time to time on the treasurer for money, and paid it out to individuals for purchases made, and taken a receipt for the expenditure. These receipts, at the supervisors' meeting in November, are presented to that board, with the poor-house books. The account is examined by a committee of the board, and the vouchers covering the account presented and examined. This method enables the board of supervisors not only to see the amount of money expended, but to judge of the propriety of the charges, and to see that there has been no improvident expenditures, and also the superintendents are present to give any explanation if required.

But if they are to draw in favor of every individual from whom purchases are made, it will give the seller additional trouble to get his money, and create much increase of duty and trouble to the treasurer. For although large purchases of pork, for instance, are made in the fall, say 16 to 20,000 weight of pork, yet the pork is obtained in small parcels from farmers, and if much trouble is given to their receiving their pay, it may throw embarrassment on the purchase; our county being so near New-York market, the farmer will not subject himself to much trouble for the privilege of selling to the poor-house. And so of grain that is bought; we get rye in parcels of from twenty to fifty bushels, so that a number of individuals are concerned, and would not expect much trouble in coming at their money.

Say the superintendents draw in behalf of each of these individuals—their draft, and the voucher taken, in the hands of the treasurer—if the treasurer is to account with the board of supervisors for the money expended by the superintendents in support of the poor, it would seem that they would have but little of the manner of these expenditures before them, and could form no judgment of the propriety and expediency of the expenditures. It would seem right and proper that all possible light should be given the supervisors as to the manner the money has been expended; for they having a power given them by law to use their own discretion in laying out the money, they ought to be held responsible for their acts in the use of this discretion. If it is unsafe to trust money in the hands of the superintendents in advance, because they give no security to the public for the faithful expenditure, would it not be better

that the law be so amended as that they give security. I expected to see the other superintendents before I sent on the report. I commenced this communication in a form to represent the views of the board; but not seeing them, and the time of sending our report is come, I beg you to consider this as my own individual communication, and if my views are wrong, the gentlemen with me in the board are not answerable.

ABSTRACT, showing the number of licenses granted, and the amount of excise money collected in the several towns in the county of Westchester.

TOWNS.	Taverns.	Groceries.	Total paid for licenses by tavern-keepers.	Paid by grocers.	Total amount of excise money.
South-Salem,	1	...	$5 00	.....	$5 00
New-Rochelle,	3	6	15 00	$30 00	45 00
Mamaroneck,	1	5	20 00	25 00	45 00
York-town,	7	5	35 00	25 00	60 00
Yonkers,	5	8	25 00	40 00	65 00
Pelham,	2	...	10 00	.....	10 00
East-Chester,	5	9	25 00	45 00	70 00
Rye,	7	6	35 00	30 00	65 00
Cortlandt,	15	17	75 00	85 00	160 00
White-Plains,	2	4	10 00	20 00	30 00
Mount-Pleasant,	10	6	50 00	30 00	80 00
Somers,	5	...	25 00	.....	25 00
Bedford,	1	5	5 00	25 00	30 00
New-Castle,	5	2	25 00	10 00	35 00
Greenburgh,	7	7	63 00	42 00	105 00
North-Castle,	2	...	40 00	.....	40 00
					$870 00

YATES.

The superintendents are not able to ascertain the expense out of the poor-house, or the number that have been supported, therefore have not given the second average; neither can they give, at this time, precisely the amount of excise money.

(F.)

CIRCULAR.

STATE OF NEW-YORK, }
SECRETARY'S OFFICE, }

Albany, May 10, 1832.

To the Superintendents of the Poor.

At the late session of the Legislature an act was passed, authorizing the publication of "so many copies of the first six titles of chapter 20 of the first part of the Revised Statutes, and such subsequent acts as relate to the support and management of the poor, as shall supply one copy each to the several officers in this State, who are directly connected with the support and management of the poor."

The same act provides, that "the Secretary of State shall prepare an exposition of the said titles, accompanied with suitable forms, and cause them to be published as an appendix to the said pamphlet."

To enable me to execute this duty understandingly, it is desirable to obtain information from those who have had experience in relation to the practical operation of the poor laws. And it is to solicit such information that this circular is addressed to the superintendents in the several counties. Immediate answers are solicited.

It is desirable to ascertain what the practice has been under the law, in the different counties, and what difficulties have arisen in executing its various provisions; and if the practices under the law are variant, to establish such forms and regulations as are consistent with the best interpretation of the law, and as will produce uniformity in its administration.

Certain questions are propounded, but it is not desired that the superintendents should confine themselves at all to the scope of the inquiry marked out by these, but that they should communicate any information or make any suggestions which will aid the general objects of the inquiry.

1. What number of superintendents are appointed in your county, under the 15th section, and what is the rate of compensation allowed them?

2. Are their meetings directed by the supervisors, and how often and at what times are they held during the year?

3. Have the superintendents established rules and by-laws under subdivision 2 of section 16, and what are those rules? Copies are desired.

4. What powers are vested in the keepers by the superintendents under subdivision 3 of section 16?

5. Who is designated to make purchases under subdivision 4, or how are materials for the establishment procured?

6. What is the ordinary rate of allowance prescribed under subdivision 5, for bringing paupers to the poor-house, and have the supervisors made any general resolution on the subject?

7. Have any difficulties been experienced in executing the powers of the superintendents under subdivision 7 of section 16? If so, wherein? And the same as to subdivision 8.

8. Have there been any cases of appeal to the superintendents in your county under sections 32, 33 and 34; and if so, have any inconveniences been experienced in executing those sections?

9. What is the practice under section 35, in deciding from time to time who are county poor? Is the question settled by one superintendent, or are these questions reserved until a meeting of the board?

10. Do the superintendents enter all their proceedings in a book, or only such as are referred to in section 38? Do they sign the proceedings in the book itself, or are the decisions copied into the book from a paper signed by them?

11. With whom are the orders of overseers, given under section 39, filed?

12. What is the practice under section 40, and who countersigns the certificate of the keeper for the expense of removal? Does the keeper give a voucher to pay for the removal, and the superintendents a separate one for the expenditures of overseers, in the case referred to?

13. What is the practice under section 42, so far as the superintendents have an opportunity of knowing? What is the practice and experience under section 46?

14. In counties where the towns support their own poor, what mode is adopted under sections 47 and 48, in ascertaining the relative expense of supporting different grades of paupers belonging to different towns, and in making an equitable distribution of that expense among the several towns.

15. Have any cases occurred in your county coming under sections 58 to 62, inclusive, and if so, were any difficulties experienced in executing those sections?

16. What is the practice in relation to lunatics? How are they kept, and what is the probable expense per week in taking care of them?

17. In making up the average cost of supporting each pauper for a year and a week, what items of expenditure are taken into the account, and what excluded?

18. Where sums beyond ten dollars, under section 42, are expended to provide for a pauper who cannot be removed to the poor-house, how is the sum over the ten dollars, and which is expended under the sanction of one superintendent, paid?

19. In what manner and on what terms is a physician employed for the poor?

I am, with much respect,
Your ob't serv't,
A. C. FLAGG.

(G.)

The following table shows the number of superintendents in each county, their daily compensation, the total amount paid them, and also the salary of the poor-house physicians in the respective counties.

COUNTIES.	No. superintendents.	Daily allowance to superintendents.	Total paid annually to superintendents.	Salary of physician per year.		
Albany, ...						
Allegany, ...	5	2 25	$350 00	$100 00	Distinction abolished..	
Broome, ...	3	1 50	71 50	35 00	do	do
Cattaraugus, .	5	2 00	141 00	no p'r-h.	do	do
Cayuga, ...	5	1 50	73 50	.....	do	do
Chautauque, ..	5	2 00	129 00	.....	do	do
Chenango, ...	3	2 00	78 00	by visit	do	not abolished.
Clinton, ...	5	1 50	184 32	150 00	do	abolished.
Columbia, ...	5	2 00	166 00	75c. visit	do	do
Cortland, ...	..	....	156 00	.....	do	not abolished.
Delaware, ...	..	....	115 00	.....	do	abolished.
Dutchess, ...	3	2 00	193 00	200 00	do	do
Erie, ...	3	2 00	106 00	170 00	do	do
Essex, ...	..	....	166 00	.....	do	do
Franklin, ...	..	....	65 00	.....	do	do
Genesee, ...	..	....	133 00	120 00	do	do
Greene, ...	5	2 00	214 00	120 00	do	do
Herkimer, ...	3	1 50	111 00	125 00	do	do
Jefferson, ...	5	....	108 00	75c. visit	do	not abolished.
Kings, ...	3	....	600 00	70 00	do	abolished.
Lewis, ...	..	....	45 00	.....	do	not abolished.
Livingston, ..	3	1 50	82 62	80 00	do	abolished.
Madison, ...	5	2 75	160 00	110 00	do	do
Monroe, ...	3	....	279 00	200 00	do	not abolished.
Montgomery .	3	1 25	152 00	.....	do	abolished.
New-York, ..	*5	....	.....	1500 00	do	do
Niagara, ...	3	2 00	105 00	80 00	do	do
Oneida, ...	5	2 00	200 00	.....	do	do
Onondaga, ...	..	....	195 00	.....	do	not abolished.
Ontario, ...	3	....	107 00	150 00	do	abolished.
Orange, ...	5	2 00	408 00	200 00	do	do
Orleans, ...	3	2 00	229 00	100 00	do	do
Oswego, ...	5	2 00	231 00	100 00	do	not abolished.
Otsego, ...	5	2 00	156 00	50 00	do	abolished.

* 5 Commissioners of alms-house who serve without pay; the keeper has a salary of $1,600.

COUNTIES.	No. superintendents.	Daily allowance to superintendents.	Total paid annually to superintendents.	Salary of physician per year.		
Putnam, ...	3	....	107 75	45 00	Distinction abolished.	
Queens, ...	..	....	.....	.....	do	not abolished.
Rensselaer, ..	3	3 75	375 00	by visit	do	do
Richmond, ...	..	....	28 00	.....	do	do
Rockland, ...	5	1 50	117 00	.....	do	do
Saratoga, ...	3	2 00	91 00	100 00	do	abolished.
Schenectady,.	..	....	.....	.....	do	not abolished.
Schoharie, ...	5	1 25	35 00	.....	do	do
Seneca, ...	..	....	100 79	.....	do	abolished.
St. Lawrence,	5	2 00	195 00	50 00	do	not abolished.
Steuben,.....	..	....	.....	.....	do	do
Suffolk,.....	..	....	.....	.....	do	do
Sullivan, ...	3	2 00	200 00	50 00	do	abolished.
Tioga, ...	..	....	292 00	.....	do	not abolished.
Tompkins, ...	3	1 75	89 00	.....	do	do
Ulster, ...	..	....	148 50	.....	do	do
Warren,.....	..	....	.....	.....	do	abolished.
Washington, .	3	2 00	50 00	100 00	do	do
Wayne, ...	3	2 00	131 00	78 00	do	do
Westchester,..	3	2 00	160 00	100 00	do	do
Yates.....	..	....	90 00	.....	do	do

32 distinction abolished.
2 New-York and Albany,
21 not abolished,

55

(H.)

The following is a comparison between the total results as exhibited in the tables and those of 1830 and 1831.

	1830.	1831.	1832.
Acres of land attached to poor-house,	3,876	5,221	5,663
Total value of poor-house establishments,	$757,257 64	$830,350 46	$824,010 46
Total expense of county and town paupers,	216,535 00	245,433 21	267,314 42
Total paid for transportation of paupers,	2,368 79	4,042 13	4,861 11
Total allowance to superintendents,	5,531 74	7,573 80	10,044 47
do overseers,	4,616 58	5,396 65	9,637 70
do justices,	2,128 38	1,694 78	2,321 71
do keepers and officers,	15,707 80	17,734 50	19,563 46
Paid to physicians for attendance and medicine,	.....	.....	8,413 58
Total value of labor of paupers,	9,173 43	12,663 87	32,849 74
Total amount saved in consequence of labor,	10,674 05	17,546 74	28,320 26
Average cost of each pauper per year,	37 03	33 28	32 41
do do per week,	74¼	64 4/7	62½

The following table shows the number and condition of the Paupers in the State in 1830, 1831 and 1832.

	1830.	1831.	1832.
Total number of paupers relieved or supported during the year,.....	15,506	15,564	*14,759
Total number of county paupers, do	13,359	13,573	*12,811
do town do do	2,147	1,990	1,627
do paupers received into the poor-houses during the year,	11,551	10,896	9,625
Total born in poor-houses during year,.....	108	170	253
Total died during year, ...	863	1,147	1,782
Bound out during year,.....	298	318	653
Discharged during year, ...	4,563	5,962	5,786
Absconded during year,.....	504	545	869
Foreigners relieved during year,.....	2,398	2,780	3,406
Lunatics relieved during year,.....	345	408	579
Idiots relieved during year,.....	361	310	192
Total paupers remaining in poor-houses December 1st, 1831,.....	4,580	5,517	5,080

* From this is deducted the families in New-York, being 19,335, at 5 in each family.

No. 39.

IN ASSEMBLY,

January 24, 1833.

MESSAGE

From the Governor, transmitting communications from the Executives of the States of Pennsylvania, Georgia and South Carolina.

TO THE ASSEMBLY.

GENTLEMEN,

I have received resolutions passed by the Legislatures of several of the States, containing requests to have them laid before the Legislature of this State.

In compliance with such request, I herewith transmit to you, First, several resolutions of the Legislature of the State of Pennsylvania, "relative to the union of the States and the Constitution of the United States:"

Second, resolutions of the State of Georgia, approving of an opinion expressed by the General Assembly of the State of Tennessee, against the exercise of the power assumed by Congress, to appropriate money from the treasury of the United States to be expended on works of internal improvement, and also denying that the General Government is possessed of such power:

Third, a resolution of the Legislature of the State of Georgia, making application to Congress for calling a convention of the people to amend the Constitution of the United States in certain particulars specified in the proceedings accompanying the said resolutions:

Fourth, resolutions of the State of South Carolina, recommending a convention to consider and determine questions of disputed power, which have arisen between the States of the confederacy and the General Government.

W. L. MARCY.

Albany, Jan. 23, 1833.

(No. 1.)

Resolutions of Pennsylvania.

EXECUTIVE DEPARTMENT.

Harrisburg, Dec. 21, 1832.

SIR,

In compliance with a resolution of the Legislature of this State, I have the honor of transmitting to you the annexed resolutions, recently adopted by that body, "relative to the Union of the States, and the Constitution of the United States."

With sentiments of profound respect,
I have the honor to be,
Your obedient serv't,
GEO. WOLF.

To His Excellency the Governor
of the State of New-York, Albany.

Resolutions relative to the Union of the States and the Constitution of the United States.

Resolved, By the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That the Constitution of the United States, and the laws of the United States made in pursuance of the Constitution, are the supreme law of the land, to which every citizen of the United States owes obedience, and that no authority whatever can release him from his obligation to obey, or require him to take any oath, or enter into any engagement inconsistent with such obligation; and that any pretension on the part of a State, or any portion thereof, so to release any citizen of the United States, or so to require of him, is unconstitutional and without the least foundation of right, and can afford neither shelter nor excuse for offences he may commit against the laws of the United States.

Resolved, That no portion of the citizens of the United States have a rightful power to render invalid an act of the Congress of the United States, duly made by the people's representatives, and approved by the Executive, in the mode prescribed by the Constitution, nor to nullify the same, either generally or within particular districts, but that every such act of Congress continues in full force every where within the United States, notwithstanding any such asserted nullification, and all persons who resist its execution, of-

fend against the Constitution and laws of the United States, and are liable to prosecution and punishment for such offence.

Resolved, That no State has a right to withdraw from the Union and to declare itself independent of it, and that every attempt to do so would be a virtual infraction of the Constitution of the United States, justifying and requiring the use of constitutional measures to suppress it.

Resolved, That the faithful execution of all laws of the United States, made in the mode prescribed by the Constitution, is a duty enjoined upon the President of the United States, in the constitutional discharge of which he is entitled to, and ought to receive, the aid and support of every citizen of the Union.

Resolved, That it is the clear and indisputable right of Congress to impose duties upon importations, and of the Government of the United States to collect the duties payable by law upon goods imported into every part of the Union, and that every resistance to the collection of the same is an offence against the Constitution and laws of the United States, and that the offenders are liable to prosecution and punishment for such offence.

Resolved, That in enforcing, by all constitutional means, the laws passed by Congress for imposing and collecting duties upon goods imported into the United States, and all other acts of the Congress of the United States, and in bringing to punishment all persons who, under any pretence, may offer resistance to them, the Commonwealth of Pennsylvania will, if necessary, aid and assist the government of the United States by all the means in her power.

Resolved, That we pledge ourselves, jointly and individually, to sustain the Chief Magistrate of the United States, in all constitutional measures calculated to preserve and perpetuate the Union of the States.

Resolved, That the Governor be requested to transmit a copy of these resolutions to the President of the United States, and to each Senator and Representative in Congress from this Commonwealth, and to the several Governors of the respective States and Territories of these United States.

SAML. ANDERSON,
Speaker of the House of Representatives.
JESSE R. BURDEN,
Speaker of the Senate.

APPROVED.—The twentieth day of December, A. D. one thousand eight hundred and thirty-two.

GEO. WOLF.

SECRETARY'S OFFICE, PENNSYLVANIA, }
Harrisburg, December 21, 1832. }

This is to certify that the foregoing resolutions are truly copied from the original roll on file in this office.

Witness my hand and seal,

SAMUEL M'KEAN.

(No. II.)

Resolutions of Georgia.

EXECUTIVE DEPARTMENT, GA.

Milledgeville, Dec. 28, 1832.

SIR,

In conformity with a joint resolution of the General Assembly of this State, I transmit to you the accompanying preamble and resolutions, approved on the 24th inst.

I have the honor to be,
With great respect,
Your obedient serv't,
WILSON LUMPKIN.

His Excellency the Governor
of the State of New-York.

IN THE HOUSE OF REPRESENTATIVES.

The joint committee on the state of the republic, to whom was referred the resolutions of the General Assembly of the State of Tennessee on the subject of the power which has been assumed and exertised by the General Government, of appropriating money out of the treasury of the United States, to be expended upon objects of internal improvement, submit the following

REPORT:

The subject referred to your committee is one upon which the Legislature has heretofore been called on for the expression of an opinion, and one upon which the public mind has been much excited and is well informed: a reiteration of facts and arguments is, therefore, not deemed necessary. They will remark, however, that it has lost none of its importance; and although the growing discontent throughout the southern states and the firmness of President Jackson have given a check to the designs of the friends of the American system, and for the present closed the doors of the treasury to their extravagant plans for squandering the public revenue, it must not be forgotten by the supporters of State rights that the principle has not yet been abandoned, and awaits only favorable opportunity to be again called into action by its advocates, in aid of their plans of usurpation and consolidation.

It was early discovered by the friends of the protective system, and we might add, of usurpation, that some plan must be adopted to dispose of the exorbitant tax which they designed to lay upon the commerce of the country; and perhaps the ingenuity of man could not have devised one better suited to the views of the ene-

mies of State rights, and the friends of manufacturing monopolists, or more dangerous to the reserved rights of the States, the safety of our political institutions and the liberties of the people. The plan of constructing extensive works of internal improvements by the General Government promised to answer all their ends. By this means, the treasury was to be emptied, the commerce of the country taxed without limit, the territory and jurisdiction of the States invaded and prostrated. The continued exercise of this power would have accomplished all their wishes: while it afforded a pretext for protecting domestic manufactories by high duties to supply the wants of government, it appropriated its revenue to construct roads and canals in those sections of the Union which were or might thereby become friendly to the system. In this state of our political affairs, when an interested majority in Congress seemed to have lost sight of the Constitution, or disregarding its provisions, were engaged in a course of legislation to promote the interest of particular occupations, and for the benefit of particular sections, at the public expense, the veto message of President Jackson on the Lexington and Maysville turnpike road bill was hailed as an unequivocal evidence of a determination on his part to arrest the exercise of this unconstitutional power, and to put a stop to these extravagant appropriations.

With these remarks, your committee submit the following resolutions:

Resolved, by the Senate and House of Representatives of the State of Georgia in General Assembly met, That they do concur with the General Assembly of the State of Tennessee in deprecating the exercise of the powers which have been assumed by Congress, of appropriating money out of the treasury of the United States, and in subscribing for stock under State corporations.

Resolved, further, That this General Assembly does expressly declare, that the Government of the United States does not possess the powers under the Constitution, to carry on a system of internal improvement within the several States, or to appropriate money to be expended upon such improvements.

Resolved, That his Excellency the Governor be requested to forward copies of these resolutions to the Governors of the respective States, and to our Senators and Representatives in Congress.

Agreed to, 21st December, 1832.

ASBURY HULL, *Speaker*.

Attest,
ROBERT W. CARNES, *Clerk*.

IN SENATE.

Concurred in, 22d December, 1832.

THOMAS STOCKS, *President*.

Attest,
IVERSON L. HARRIS, *Secretary*.

Approved, Dec. 24, 1832.

WILSON LUMPKIN, *Governor*.

(No. III.)

EXECUTIVE DEPARTMENT, GA.

Milledgeville, Dec. 28, 1832.

SIR,

In conformity with a joint resolution of the General Assembly of this State, I transmit to you the accompaning preamble and resolutions, approved on the 22d inst.

I have the honor to be,
With great respect,
Your obedient serv't,
WILSON LUMPKIN.

His Excellency the Governor
of the State of New-York.

IN THE HOUSE OF REPRESENTATIVES.

For as much as throughout the United States there exists many controversies, growing out of the conflicting interests which have arisen among the people since the adoption of the federal constitution, out of the cases in which Congress claims the right to act under constructive or implied powers; out of the disposition shown by Congress, too frequently to act under assumed powers, and out of the rights of jurisdiction either claimed or exercised by the Supreme Court—all of which tend directly to diminish the affection of the people for their own government, to produce discontent, to repress patriotism, to excite jealousies, to engender discord, and finally, to bring about the event of all other most deeply to be deplored, and most anxiously to be guarded against, viz: a dissolution of our happy Union, and a severance of these States into hostile communities, each regarding and acting towards each other with the bitterest enmity.

And the experience of the past having clearly proved, that the Constitution of the United States needs amendment in the following particulars.

1. That the powers delegated to the General Government, and the rights reserved to the States or to the people, may be more distinctly defined.

2. That the power of coercion by the General Government over the States, and the right of a State to resist an unconstitutional act of Congress, may be determined.

3. That the principle involved in a Tariff for the direct protection of domestic industry may be settled.

4. That a system of federal taxation may be established, which shall be equal in its operation upon the whole people, and in all sections of the country.

5. That the jurisdiction and process of the Supreme Court may be clearly and unequivocally settled.

6. That a tribunal of last resort may be organized to settle disputes between the General Government and the States.

7. That the power of chartering a bank and of granting incorporations may be expressly given to, or withheld from Congress.

8. That the practice of appropriating money for works of internal improvement, may be either sanctioned by an express delegation of power, or restrained by express inhibition.

9. That it may be prescribed, what disposition shall be made of the surplus revenue, when such revenue is found to be on hand.

10. That the right to, and mode of disposition of the public lands of the United States may be settled.

11. That the election of President and Vice-President may be secured, in all cases, to the people.

12. That their tenure of office may be limited to one term.

13. That the rights of the Indians may be definitely settled.

Be it therefore resolved, by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and acting for the people thereof, That the State of Georgia, in conformity with the fifth article of the Federal Constitution, hereby makes application to the Congress of the United States, for the call of a Convention of the people to amend the Constitution aforesaid, in the particulars herein enumerated, and in such others as the people of the other States may deem needful of amendment.

Resolved, further, That His Excellency the Governor be, and he is hereby, requested to transmit copies of this document to the other States of the Union, and to our Senators and Representatives in Congress.

Agreed to, 12th December, 1832.

ASBURY HULL, *Speaker.*

Attest,
ROBERT W. CARNES, *Clerk.*

IN SENATE.

Concurred in, 20th December, 1832.

THOMAS STOCKS, *President.*

Attest,
IVERSON L. HARRIS, *Secretary.*

Approved, 22d December, 1832.

WILSON LUMPKIN, *Governor.*

(No. IV.)

Resolutions of the State of South Carolina.

IN THE SENATE.

December 13, 1832.

The committee on federal relations, to whom was referred that portion of the Governor's message, No. 3, which relates to the call of a Convention of the States, respectfully report the following preamble and resolutions.

Whereas, serious causes of discontent do exist among the States of this Union, from the exercise, by Congress, of powers not conferred, or contemplated, by the sovereign parties to the compact: Therefore,

Resolved, That it is expedient that a Convention of the States be called as early as practicable, to consider and determine such questions of disputed power as have arisen between the States of this confederacy and the General Government.

Resolved, That the Governor be requested to transmit copies of this preamble and resolutions to the Governors of the several States, with a request that the same be laid before the Legislatures of their respective States, and also to our Senators and Representatives in Congress, to be by them laid before Congress for consideration.

Resolved, That the Senate do agree.

Ordered to the House of Representatives for concurrence.

IN THE SENATE.

19*th December*, 1832.

The House of Representatives returned, with their concurrence, the report of the committee on federal relations, on that portion of the Governor's message, No. 3, which relates to the call of a convention of the States.

A true copy from the journals.

JACOB WARLEY, *Clerk of the Senate.*

No. 40.

IN ASSEMBLY,

January 23, 1833.

COMPTROLLER'S OFFICE,
Albany, January 23, 1833.

The Hon. CHARLES L. LIVINGSTON,

SIR,

Herewith is transmitted a report on the petition of David Clancy, referred to this office by the Honorable the Assembly, on the 21st instant.

I have the honor to be,
With great respect,
Your ob't. serv't.
A. C. FLAGG.

REPORT, &c.

COMPTROLLER'S OFFICE,
Albany, January 23, 1833.

The Comptroller, to whom was referred by the Assembly, the petition of David Clancy,

RESPECTFULLY REPORTS:

That the facts in relation to his claim, are truly stated in the petition. At the sale of lands for taxes in 1830, thirty acres of the northwesterly part of lot No. 119, in Klock and Nellis' patent, in the county of Montgomery, were sold for arrears of the taxes of 1822, '23, '24, '25 and '26, to Jesse Buel for $21.93, being the sum charged upon the said lot.

On the 17th of April, 1832, and before the expiration of the time of redemption, the petitioner, as is shown by the receipt of the treasurer, annexed to his petition, paid into the treasury the sum required for the redemption of said lot, being $26.20, but neglected to have the receipt entered and countersigned by the Comptroller.

The lot having been sold by the Comptroller for the taxes due, and that sum, $21.93 having been paid into the treasury by the purchaser, it is obvious that the State has twice received the money for the charges upon this lot; once by the sale and again by the redemption.

The purchaser, Jesse Buel, is now entitled to a deed from the Comptroller, of lot No. 119, and the petitioner must lose his lot or make terms with the purchaser. It seems therefore to be reasonable and equitable, that the over payment of $26.20 for the redemption which has proved unavailable to Mr. Clancy, should be refunded to him out of the state treasury.

All of which is respectfully submitted.

A. C. FLAGG.

No. 41.

IN ASSEMBLY,

January 24, 1833.

OPINION

Of the Attorney-General, concerning lands belonging to the Common School fund, at Fort-Covington.

Albany, January 24, 1833.

To the Speaker of the Assembly:

SIR,

I submit herewith, in pursuance of a resolution of the Assembly, an opinion concerning the lands belonging to the Common School fund, at Fort-Covington.

I am, very respectfully,

Your ob. servant,

GREENE C. BRONSON.

REPORT, &c.

The Attorney-General, in obedience to the resolution of the Assembly, requiring "his opinion whether the lands described in the bill, entitled 'An act granting certain lands to the trustees of Fort-Covington academy,' belong to the Common School fund," respectfully submits the following

REPORT:

By an act passed in 1818, [Laws 1818, p. 172,] the Surveyor-General, and two other persons, acting as Commissioners, were authorised to lay out the mile square of the St. Regis Reservation as they should deem proper for a village or villages: laying out suitable lots for public buildings for the use of such village or villages. By the second section of the act, the Governor was instructed to direct the Commissioners "to survey and lay out so much and such parts of the said Reservation, not exceeding in the whole, sixty acres, as he shall deem proper to be set apart and be reserved for public purposes, to be hereafter designated by the Legislature."—The proceedings of the Commissioners were confirmed by an act passed the next year. [Laws 1819, p. 280.]

The Attorney-General has learned from the Surveyor-General, that the Commissioners, in pursuance of the first section of the act of 1818, laid out a public square, and a cemetery in the village of Fort-Covington, and other lots for public buildings for the use of the village. And that in pursuance of the second section of the act, they surveyed and laid out certain lands near the village, which were reserved for public purposes; and which lands are designated on the map made by the Commissioners as military lands,

A map of a part of the village, furnished by the Surveyor-General, and accompanying this report, will show the location of the land described in the bill. It is the narrow strip lying between Salmon-street and Salmon river, and lying principally in front of the public square and the cemetery. This piece of land was not allotted, because it was of small value, and because it furnished a con-

venient watering place for the citizens, and a place for unlading commodities afloat upon the river. It was neither designated as a site for the public buildings of the village, nor as a part of the lands set apart or reserved for public purposes.

The committee on the public lands, in their report on this application, speak of the land in question, as having been "reserved for military purposes." This is a mistake: the military lands are at another place, and beyond the bounds marked on the map herewith submitted.

The lands described in the bill, had not on the first day of January, 1823, been "reserved or appropriated to public use," [Const. Art. VII. Sec. X.] and consequently belong to the Common School fund.

Respectfully submitted.

GREENE C. BRONSON,
Attorney-General

January 24th, 1833.

No. 42.

IN ASSEMBLY,

January 25, 1833.

REPORT

Of the Commissioners of the Land-Office, on the bill authorising them to sell the Missionary lot in Westmoreland.

The Commissioners of the Land-Office, on the bill entitled "An act authorising the Commissioners of the Land-Office to sell the Missionary lot (so called) in Westmoreland, Oneida county," referred to them by the Honorable the Assembly,

RESPECTFULLY REPORT:

That the lot contemplated by the bill to be sold to the present lessees, was originally granted *in trust for any minister of the gospel which might thereafter be employed by the Oneida Indians to preach the gospel among them.* This was done before those Indians had separated into parties holding rights to their territory in severalty. Acts of the Legislature subsequently passed, directed the manner in which this trust should be executed, as reported by the select committee.

In a conference lately had at the request of the Governor, by Eli Savage and Isaac Denniston, Indian agents, and the Surveyor-General, with a deputation sent by a council composed of the several parties into which the Oneida Indians are now divided, it was stated that they considered the rents of said lot to have been unjustly appropriated, by the Commissioners in whom that power was vested; that they were paid to a missionary placed among them by the bishop of New-York, and who had not, for more than three years, performed any services; that *they had not employed him* as their minister; that they were dissatisfied with him and would not attend to his preaching; that in the mean while they

had been served by other ministers of the gospel; and that the object of their present mission was to obtain the passage of a law that would secure to them such an equitable appropriation of the avails of the lot, as would answer the end for which the original grant was made.

The following mode was then after considerable discussion and deliberation suggested, and they expressed their approbation of it, viz:

That the power of appropriating the rents of the lot should be transferred to the Governor, whose duty it should be to distribute them, according to what he should consider just and equitable in execution of the trust. If this measure were adopted, the necessary examination to ascertain the justness of the complaints, now preferred, would be made, and the condition of the Indians ascertained, so as that justice might be done to all who were entitled to the benefits of the grant, and by these means would the end contemplated be more surely effected than by paying the rents over to the chiefs, to be by them divided among the Indians.

If this arrangement should meet with the approbation of the Legislature, the Commissioners of the Land-Office would respectfully recommend the substitution of a bill making provisions accordingly. Should however the Legislature consider it most congenial with the general policy of the State, to change the leasehold to a fee simple tenure, it may not be unimportant to inquire whether a sum of money the interest of which would be equal to the rent reserved in the leases, would be an adequate consideration for the rents and reversion of the premises. On this subject the Commissioners of the Land-Office can give no opinion, as no report can be found showing the conditions on which the leases have been given.

It may moreover not be amiss to consider that in this case the State is the trustee of the Indians, and that, in executing the trust, their interest should be a paramount consideration.

Respectfully submitted.

SIMEON DE WITT, *Sur. Gen.*
GREENE C. BRONSON, *Att'y. Gen.*
A. C. FLAGG, *Comp't.*
JOHN A. DIX, *Sec'y.*

January 24th, 1833.

No. 43.

IN ASSEMBLY,

January 19, 1833.

REPORT

Of the select committee, on the petition of sundry citizens of the village of Brooklyn, relative to sales at auction.

Mr. Downing, from the select committee, to whom was referred the petition of sundry inhabitants of the village of Brooklyn, county of Kings, for an alteration relative to the sales at auction in said village,

REPORTED:

That the petitioners represent, that the auction law in relation to the village of Brooklyn, affords frequent opportunities of practising fraud upon the auction revenue; that the existing act, as originally passed for the city of New-York and extended to the city of Albany, has been found extremely beneficial from long experience. The petitioners further represent, that the contiguity of the villageof Brooklyn to the city of New-York, the business, manners and customs of both places being so similar, renders it absolutely necessary that the said act should be extended to the village of Brooklyn.

Your committee having examined the subject referred to them, are of opinion, from the facts set forth by the petitioners, that the prayer of the petitioners is reasonable and ought to be granted; your committee therefore ask leave to introduce a bill prepared for that purpose.

No. 44.

IN ASSEMBLY,

January 19, 1833.

REPORT

Of the select committee, to whom was referred the petition of the Supervisors of the county of Erie.

Mr. W. Mills, from the select committee, to whom was referred the petition of the board of supervisors of the county of Erie, for the passage of a law legalizing their acts, for having levied the sum of three thousand dollars at their last annual meeting upon the county, to complete the jail in said county,

REPORTED:

That the board of supervisors of the county of Erie, by an act passed January 28th, 1831, was authorised to erect a new jail for said county, and for that purpose to raise the sum of three thousand dollars, by a tax on the people of the county.

That the new jail has been erected and enclosed, and was in an unfinished state at the annual meeting of the said board of supervisors in the month of October last, and that they at that meeting found it necessary to raise, and did raise or levy on the county, the further sum of three thousand dollars, to complete the new jail. It is further represented, that the old jail is in a dilapidated state and is wholly insufficient to secure the prisoners, five or six prisoners having escaped from it during the last year.

They therefore ask the passage of a law confirming the levy of the sum of three thousand dollars, and authorising the collection thereof, to be applied to the purposes aforesaid. The committee see no reason why the prayer of the petitioners should not be granted, and have directed their chairman to ask leave to introduce a bill.

Wm. MILLS, *Ch'n.*

No. 45.

IN ASSEMBLY,

January 8, 1833.

ANNUAL REPORT

Of George Charles, an Inspector of Leather in the city of Albany.

Report of the amount of leather inspected by George Charles during the year 1832, from the first of January, 1832, up to the first of January, 1833.

10,243 sides sole leather, at 4 cents,	$409	72
1,135 " harness leather, at 2 cents,	22	70
	$432	42
Deduct for labor,	56	21
Amount,	$376	21

GEORGE CHARLES.

No. 46.

IN ASSEMBLY,

January 21, 1833.

REPORT

Of the Surveyor-General, on the petition of Daty Allen and David Barrett.

The Surveyor-General, on the petition of Daty Allen, and the petition of David Barrett, referred to him by the Honorable the Assembly,

RESPECTFULLY REPORTS:

That a petition for the same object was at the last session of the Legislature referred to the Surveyor-General, whose report thereon is published at No. 235, of the Assembly Documents, and the report of the select committee, to whom the same was referred, at No. 195. As the premises remain in the same condition, the Surveyor-General begs leave, respectfully, to refer to them as containing all the information that can be given on the subject of the petitions now presented.

Respectfully submitted,
SIMEON DE WITT,
Surveyor-General.

January 19th, 1833.

No. 47.

IN ASSEMBLY,

January 8, 1833.

REPORT

Of the committee on the judiciary, on the petition of Levi Longwood.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of Levi Longwood, praying for the passage of an act by which he may be divorced from his wife,

REPORTED:

That the petitioner states that his wife has been guilty of adultery; and he assigns as a reason for asking the interference of the Legislature, that he is a poor man, and unable, owing to his poverty, to seek the proper legal redress. Your committee, upon examining the statutes, find that the Legislature have made ample provision for the bringing and maintaining of suits by poor persons. The law relating to this subject may be found by turning to the 2d volume of the Revised Statutes, page 444. If the Legislature should interfere in granting divorces in cases of adultery, they would have to hear the evidence which might be adduced, either for or against the granting of the prayer of the applicant. That this would be productive of great evils, and that it would induce the Legislature to wander from their appropriate functions and duties, must be evident to every intelligent mind.

For the reasons stated by your committee, they recommend that the prayer of the petitioner be denied, and that he have leave to withdraw his petition.

All which is respectfully submitted.

No. 48.

IN ASSEMBLY,

January 8, 1833.

REPORT

Of the committee on the judiciary, on the petition of the supervisors of the county of Westchester.

Mr. Burwell, from the committee on the judiciary, to whom was referred the petition of the supervisors of the county of Westchester, in relation to the Revised Statutes, have had the same under consideration; and after mature deliberation thereon, beg leave respectfully to

REPORT:

That the petitioners complain that their expectations of the usefulness of the Revised Statutes have not been realized; and that serious and increasing evils are disclosed from the execution of many of the laws, and particularly that portion of them in chapter sixth, part second, in relation to wills and testaments, the distribution of the estates of intestates, and the rights, powers and duties of executors and administrators. The petitioners conclude their petition by saying, that "they regard that portion of the Revised Statutes as most oppressive to the people, requiring needless labor and expense; and that they consider it unjust to cast upon the estate of any deceased person the labor and expense of two suits in a surrogate's court, which, in nine cases in ten, are factitious as to their advantages, and real only as to their oppression."

The petitioners have in no other way pointed out any defect, hardship or omission in the existing laws; nor have they prayed for any specific or general relief. The committee are not informed by the petition what further legislation is necessary in the premises. They therefore offer the following resolution:

Resolved, That the petitioners have leave to withdraw their petition.

No. 49.

IN ASSEMBLY,

January 8, 1833.

REPORT

Of the committee on the judiciary, on the petition of John Case.

Mr. Farrington, from the committee on the judiciary, to whom was referred the petition of John Case, praying for a divorce from Zeruah Case, his wife,

RESPECTFULLY REPORTS:

That the committee have had the said petition under consideration, and see no good reason for granting the prayer of the petitioner. The petitioner, in his petition, represents that he was formerly a resident of the town of Westfield in the county of Hampden and State of Massachusetts; and that he is now a resident of the town of Sennet in the county of Cayuga, in this State: That he was married to Zeruah Bow, of Pittsfield in said State of Massachusetts, on or about the month of June, 1812; and that in 1814, the petitioner and his said wife separated by mutual agreement. Since which time, the said petitioner has lived in several different States, and for the last five years has been an inhabitant of the county of Cayuga in this State. And that agreeably to a certain bond given to the said petitioner by the father of his said wife Zeruah, dated the 22d day of September 1814, the father became obligated to maintain the said Zeruah; and that the said petitioner was, and thereby became exonerated from the further maintenance of the said Zeruah. A penal bond is annexed to the said petition, purporting to have been executed by Jacob Bow, the father of the said Zeruah, to the said petitioner; and is supposed to be the bond referred to in the said petition, as exempting the said petitioner, in his opinion, from all further liability for the maintenance of his said wife. This bond is in the penalty of five hundred dollars; and

after reciting the marriage between the said petitioner and the said Zeruah, and that from divers unhappy circumstances they had mutually agreed no longer to live and cohabit together as man and wife, and after stating the disposition made of divers articles of property, the said bond is conditioned to be void in case the said Jacob Bow shall save the said petitioner harmless from all costs, charges and expenses, for the support and maintenance of the said Zeruah, wife of the said petitioner.

These facts do not, in the opinion of your committee, call for an exercise of that power which is asked for in the prayer of the petitioner. Your committee are therefore of opinion that the prayer of the petitioner ought not to be granted, and that he have leave to withdraw his petition. They therefore beg leave to offer the following resolution:

Resolved, That the prayer of the petitioner ought not to be granted, and that he have leave to withdraw his petition.

No. 50.

IN ASSEMBLY,

January 8, 1833.

REPORT

Of the select committee, on the petition of sundry inhabitants of the town of Cameron in the county of Steuben.

Mr. Hunter, from the select committee to which was referred the petition of sundry inhabitants of the town of Cameron in the county of Steuben, for an act authorising Royal G. Gilman and Isaac Myers to build a dam across the Canisteo river in said town,

REPORTED:

That the Canisteo river is a public highway, and is used as such; that the country is new, and well stored with pine timber; that the erection of mills are necessary; that there are many dams across said river, constructed in such manner as not to injure the navigation. We therefore unite with the petitioners of said town, praying that the same may become a law, and ask leave to introduce a bill.

No. 51.

IN ASSEMBLY,

January 26, 1833.

REPORT

Of the select committee, on the memorial of Jacob Trumpbour.

Mr. Iansen, from the select committee, to whom was referred the memorial of Jacob Trumpbour, praying for the hearing of a referred report from the last Legislature,

RESPECTFULLY REPORTS:

That on the 24th of March, 1831, the said Jacob Trumpbour presented to the Legislature, a memorial setting forth, that he had been employed by the Canal Commissioners to make a manuscript map and field notes of the Cayuga, Seneca and Oswego canals, and that part of the Erie canal west of Canistota, and to execute the necessary surveys pursuant to the provisions of the Revised Statutes; that he proceeded to the performance of the work, and had accomplished a considerable part of it, when he was stopped by the acting Canal Commissioner, having charge of the subject, from its completion; and praying that his case might be investigated and justice done in the premises, as by the said memorial (Assembly Documents of 1831, No. 299.) will more fully and at large appear.

Your committee further report, that said memorial not having been finally acted upon, or the subject matter thereof disposed of by the Legislature of 1831, the memorialist laid the subject again before the Legislature in 1832, by his further memorial, (see Assembly Documents of 1832, No. 188.)

And your committee further report, that after the last mentioned memorial was presented to the Assembly, Holmes Hutchinson

presented a counter memorial denying the material facts therein set forth, alleging that he the said Holmes Hutchinson, was the sole contractor with the Canal Commissioners for making said map, field-notes and necessary surveys; that the said Jacob Trumpbour was a sub-contractor under him, bound to conform to his plan of executing the work, and to look to him alone for remuneration; that said Jacob Trumpbour had refused to conform to his plan, but had pursued one of his own, which was imperfect and insufficient to answer the ends proposed by the Legislature, and that the said Jacob Trumpbour had no just claim to remuneration. (See Assembly Documents of 1832, No. 188.)

Your committee further report, that the said last mentioned memorial and counter memorial, with sundry documents relating thereto, were referred by the Assembly of 1832, to a select committee, of which the Hon. Judah Hammond was chairman, and power was given to the said committee to send for persons and papers, and to continue the investigation for a limited time during the recess of the Legislature. That said committee proceeded to a full and elaborate investigation of the subject upon the testimony of witnesses, and upon documentary evidence presented to them, and also upon the examination of the said memorialists respectively under oath, and reported to the extra session of the Legislature in June last. The testimony taken before said committee, together with the report thereon, will be found in vol. 4 of the Assembly Documents of 1832, No. 334.

Your committee have attentively examined said report, and the evidence upon which it is founded, and see no cause to differ with the former committee in judgment upon the facts and conclusions therein set forth.

Your committee therefore respectfully refer the House to the said report and evidence, (which being voluminous it is deemed unnecessary to recapitulate,) and have instructed their chairman to prepare a bill adapted to the case, and ask leave to present the same.

No. 52.

IN ASSEMBLY,

January 28, 1833.

REPORT

Of the committee on claims, on the petition of Basil Nedeau.

Mr. Russell, from the committee on claims, to which was referred the petition of Basil Nedeau, a Canadian refugee, praying the passage of an act authorising the surrender of letters patent, for a tract of 200 acres of land, granted to him by the State for revolutionary services, and for an equivalent therefor in money,

REPORTED:

The petitioner states that by an act of the Legislature of this State, passed 25th April, 1829, he obtained on the 7th May, 1830, letters patent for 200 acres of land, lying in the county of Clinton, which letters patent accompany the petition. The petitioner alleges they were granted to him as a compensation for services rendered during the war of the revolution; that the said 200 acres were a part of a tract surveyed by John Richards in 1829, under the authority of the State; that said land is worth little or nothing; that he has endeavored to sell it for something to relieve his present wants, but has had no offer therefor over the sum of $50; that he is 78 years old, and very poor; that in consequence of the lands being located in a broken and rocky section of the county, they are not worth at present, nor will they ever be worth any thing; that at the time the grant in question was made to the petitioner, he was legally and equitably entitled to 500 acres of land from the State, but that he was compelled to accept the 200 acres in lieu thereof, which said 200 acres is worth at most to the petitioner fifty dollars; that in the struggle for independence, in which the cause of civil and religious liberty was involved, he received three

wounds, which attest his sincerity to the cause in which they were received. And disclaiming all desire to dictate terms of compromise, suggests however, that $500 would not be an unreasonable allowance. He further states that he is now a pensioner under the law of the United States, passed in the year 1818, and has from that time hitherto regularly drawn his pension.

The fact of the petitioner having been a soldier of the revolution, whether now susceptible of proof or not, the committee presume must have been established when the law of 1829 was passed, giving him the 200 acres of land. The legislature then acted upon evidence which satisfied their judgment, and that is not a question to be agitated now, unless indeed imposition was practised upon the government, which is not apprehended.

The petition is accompanied with an affidavit of John B. Seymour, and establishes the worthlessness of the land, as stated in the petition, except a small quantity which may be made productive.

On inspecting the letters patent, an indorsement in the following words appear upon it: "The undivided half of the within sold to C. K. Averill."

From the limited examination which the committee have been able to give to the subject now under consideration, they have come to the conclusion that, for many years now past, persons in the situation which the petitioner claims to have been in before the passage of the law of 1829, received at the hands of the Legisture in satisfaction of their claims, patents for 200 acres each, to be located by them upon the unappropriated lands of the State; that such grants would be equally valuable none could have anticipated. Such applicants as were most vigilant and attentive to their own interest, would of course derive the greatest benefit from their right of location. The laws under which the letters patent in this case were issued, gave to the petitioner a right of location upon "any lands set apart for the use and benefit of the Canadian and Nova Scotia refugees," which by reference to previous laws, will be found to embrace an extensive tract in the county of Clinton. If these lands are so entirely worthless as is represented, *why*, or under what influence the petitioner located upon the lot in question, is not explained. The committee are of the opinion, that the location may have been made with reference to some

quality not perceptible to a superficial observer, and for causes which the petitioner perhaps may not think necessary to explain, the applicant is now desirous of changing his location. The committee believe that some explanation is due from the petitioner, and when such explanation is offered, it will be time enough to determine whether it would be wise, just or expedient to again open a claim to legislative action, which has been closed by a solemn act of the government, after a standing of more than half a century. It is in vain to say that claims of this description can be passed upon now, with that reasonable certainty of doing equal and exact justice to all, which could have been done at a time when the events to which they relate were fresh in memory; but yet when they are still open, their adjustment must be encountred with such lights as can at so remote a period be reflected on the subject, and when such a claim is closed by the mutual acts and concessions of the respective parties, sound policy would seem to require that such adjustment should be undisturbed.

It may not be unworthy of notice, that upon the back of the letters patent now proposed to be given up and cancelled, there appears a memorandum purporting that one-half of said 200 acres has been conveyed by the patentee to a Mr. Averill; if that memorandum speaks the language of truth, it will readily be perceived that by adopting the proposition proposed, the interest of the State might be jeopardized; and although this circumstance too, would seem to call for explanation, none has been given to the committee.

The committee are therefore of the opinion that the prayer of the petitioner ought not to be granted; but inasmuch as there are documents accompanying the petition which properly belong to the petioner, and which can be of no importance to the State to retain, the committee propose for the adoption of the House the following resolution:

Resolved, That the prayer of the petitioner ought not to be granted, and that he have leave to withdraw the documents accompanying his said petition.

No. 54.

IN ASSEMBLY,

January 25, 1833.

REPORT

Of the Commissioners of the Land-Office, on the petition of Zimri Hills, and concerning escheated lands.

The Commissioners of the Land-Office, to whom were referred, by the Assembly, the petition of Zimri Hills, and the bill entitled "An act vesting certain premises therein described, escheated to the people of this State, in Fitch Shepard, his heirs and assigns forever," respectfully submit the following

REPORT:

The petitioner represents, that in 1799 he was married to Malinda Palmer, who then had an illegitimate son about eighteen months old, named Abel (or Amos) Palmer; that the petitioner had eight children by his wife, all of whom are now living; that the said Abel Palmer in his life time became seized in fee of a lot in the village of Jamestown, Chautauque county, and died unmarried and without issue, and that for the defect of legal heirs the said lot has escheated to the State; that the petitioner and his sons have bargained the lot to Fitch Shepard for the sum of $80, on condition that the State will release the escheat; that he brought up, supported and educated the said Amos Palmer during his infancy, and always treated and regarded him as one of his own family. And he prays that the right of the State to the lot, by reason of the escheat, may be released to Shepard.

An affidavit is subjoined, in which the petitioner swears that the facts set forth in the petition are true, according to his best knowledge and belief. Several of the children of the petitioner have signified their assent to this proceeding.

The bill, the title of which is above recited, proposes to vest in the said Fitch Shepard all the estate and interest of the people in the lot in question.

At the last session of the Legislature an act was passed, entitled "An act concerning escheats, and to derive a revenue therefrom." Laws 1832, p. 511. The policy of this act was to derive a small revenue from escheated lands, and to establish, as far as practicable, a general and uniform course of proceeding in such cases. The Legislature was to direct in what cases the interest of the State in escheated lands should be released, and the matter was then referred to the Commissioners of the Land-Office, to collect the monies required to be paid, and execute the proper conveyance.

The case of the petitioner falls under the fourth subdivision of the fourth section of the act of 1832; and if the policy of the act is to be followed, the petitioner should be required to pay one-fourth part of the value of the land into the treasury. The bill proposes to grant the land absolutely to Mr. Shepard, without any consideration, and without applying to the Commissioners of the Land-Office. Should such a course be pursued in one instance, it would furnish a precedent for another case; and there is reason to apprehend that very little revenue would ever be realized from this source.

The land is, however, said to be of small value, and the Legislature may be disposed to grant this application as an exception to the general rule. It is suggested, in that case, that the bill should be re-framed, so as to release only such interest in the land as the State may have acquired by escheat in consequence of the death of Abel Palmer without heirs and without having devised the same, This would save all such rights in the land, as the State may have acquired in any other manner; and too much caution cannot be observed in legislating about the public property on the statements of interested parties.

The Commissioners of the Land-Office believe that the act of 1832 was founded in a wise policy, and that the system ought to be pursued, unless it should be found to operate injuriously. They believe, however, that the act is defective in several particulars. It does not provide for all the cases that may arise, and it requires an application to the Legislature and a special act in every case, however plain and simple may be its circumstances. The Com-

missioners have therefore taken the liberty of preparing a bill concerning escheats, which is herewith respectfully submitted for consideration.

The proposed bill provides for three classes of cases.

First. Where an estate has escheated, or may hereafter escheat, for the want of legal heirs of the person who died seized.

Second. For the case of an alien who may have purchased and taken a conveyance of lands, without being authorised by law to hold lands; and,

Third. For the case of an owner of land, whose title is defective, for the reason that he is obliged to deduce it through an alien who had no capacity to hold and convey.

The leading features of the bill are,

First. That all applications shall be made in the first instance to the Commissioners of the Land-Office, where the applicant shall state and prove the facts and circumstances of his case.

Second. Where the estate is not of large value, and there is no great difficulty in determining whether a release of the interest of the State ought to be granted, or who ought to receive it, the Commissioners of the Land-Office may grant the application upon certain terms and conditions prescribed by the act, without a special act of the Legislature for each particular case.

Third. Where the estate is large, or the applicant resides in a foreign country, or there is any difficulty in determining whether a release should be granted, or what person should receive it, the Commissioners shall report the case to the Legislature, with all the facts and circumstances, for further direction and authority.

Fourth. Where the estate is not worth above the sum of $300, and the applicant is in indigent circumstances, the Commissioners may execute a release without requiring any payment, beyond the expenses of the conveyance.

Fifth. Where the Legislature shall direct a release in any case, it shall be made on the terms and conditions prescribed by this bill, unless otherwise expressly provided in the act authorising the release.

Sixth. Where any person shall give information concerning escheated lands, and furnish such proofs as will enable the people to recover the same, he shall be entitled to a part of the sum which the State may receive on account of such lands.

The principal advantages which may be anticipated from such a system are, *First*, That the interest of the State in escheated lands will not be given away, but a revenue of some value will be derived from that source. *Second*, The system will be general and uniform in its operation, except in cases where the Legislature for special causes shall otherwise direct. *Third*, The proofs going to establish the merits of each application will be taken before a board which is in session throughout the year, and under circumstances better calculated to arrive at the whole truth than can reasonably be anticipated from legislative investigations, made in the hurry of other business and upon ex parte statements. *Fourth*, All persons having an interest in escheated lands will be informed by law of the terms and conditions upon which they can perfect their titles. *Fifth*, They will be interested to make application and comply with the terms of the law, lest information of the escheat should be furnished by some third person, and the expense of obtaining a release be consequently increased. *Sixth*, Third persons will be interested to give information concerning escheats when the proper persons neglect to make applications within a reasonable time. And *Seventh*, Persons whose titles are imperfect, and those who have only an equitable but no legal right, will be enabled to perfect their titles and acquire legal estates upon terms more favorable than are offered by any other government.

The Commissioners do not flatter themselves that the bill is perfect, but it is the best which the urgency of other engagements has permitted them to frame; and without further explanatory remarks, it is respectfully submitted to the consideration of the Legislature,

GREENE C. BRONSON, *Att'y-Gen'l.*
A. C. FLAGG, *Compt'r.*
JOHN A. DIX, *Sec'ry.*
SIMEON DE WITT, *Surv. Gen'l.*

January 25, 1833.

PROPOSED BILL.

AN ACT *concerning Escheats.*

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

SECTION 1. Where any lands have already escheated, or may hereafter escheat, to the people of this State, in consequence of the death of the person seized without making any devise thereof, and leaving no heir capable of inheriting the same, it shall be lawful for any person to apply to the Commissioners of the Land-Office for a release of such interest in the land as the State may have acquired by such escheat.

§ 2. The applicant in such cases shall state in writing,

1. The name of the person who died seized, and whether he was an alien or a citizen:

2. Whether the person who died seized left a widow, or a child or other relative, who, but for their alienism, would have been his heirs at law, and the names and places of residence of such widow, children, or other relatives:

3. The location, quantity and value of the lands escheated, with a convenient description of the same:

And all such further things as shall be required by the Commissioners of the Land-Office.

§ 3. The applicant shall make satisfactory proof to the Commissioners of the Land-Office, concerning all the matters aforesaid: which proof, so far as relates to the value of the land, shall consist of the affidavits of two persons, who shall be either the supervisor, town-clerk or assessors of the town in which the lands shall be situated, stating that they have viewed the lands in question, and that the full value of the said lands, as they would appraise the same in payment of a just debt due from a solvent debtor, does not exceed a certain sum, to be mentioned in such affidavit.

§ 4. Upon the execution of any release, pursuant to the first section of this act, the following proportional parts of the ascertained

value of the lands released shall be paid by the grantee into the treasury of this State, for the use of the people thereof:

1. If such grantee be the child, grand-child or widow of the person who died seized, one-twentieth part of such value:

2. If such grantee be the father, mother, brother or sister of the person who died seized, one-tenth part of such value:

3. If such grantee be the uncle, aunt, nephew or niece of the person who died seized, one-fifth part of such value:

4. If such grantee be any other relative, or be not a relative of the person who died seized, one-fourth part of such value:

5. In case such grantee, at the time the person died seized shall have been, or at the time of the release shall be an alien, residing without the United States, the amount to be paid shall be twenty per centum greater than the proportions above mentioned respectively.

§ 5. The grantee in every such release shall take the land subject to the debts of the person who died seized; the payment of which debts may be enforced in the same manner as if the grantee had derived his title as heir-at-law.

§ 6. Such release, when made to an alien, shall confer on him the capacity of holding and aliening the lands released.

§ 7. Such release shall not be evidence against third persons that the lands had escheated; but on proof of the escheat, the release shall operate as a conveyance, and have the like effect as though it had been made after office found, or after the land had been recovered by the people on the ground of the escheat.

§ 8. The Commissioners of the Land-Office, upon the conditions aforesaid, may, in their discretion, grant releases in all cases where the value of the land shall not exceed seven thousand dollars, and where the grantee shall be a citizen of the United States, or an alien residing within the United States.

§ 9. Where any alien not having been authorised by the laws of this State to hold real estate shall have purchased and taken a conveyance, or shall hereafter purchase and take a conveyance of any lands from a person capable of aliening the same, it shall be lawful for such alien to apply to the Commissioners of the Land-Office for

a release of all such interest in the land as the State may have by reason of his alienism.

§ 10. The applicant in such cases shall state in writing:

1. The name of the person from whom he purchased the estate, the time of the purchase, and how much he paid or contracted to pay for the same:

2. The location, quantity and value of the land, with a convenient description of the same:

And all such other matters as shall be required by the Commissioners of the Land-Office.

§ 11. The applicant shall make such proof in the premises as is prescribed by the third section of this act.

§ 12. Upon the execution of any release pursuant to the ninth section of this act, the following proportional parts of the ascertained value of the lands released shall be paid by the grantee into the treasury of this State, for the use of the people thereof:

1. If such alien, previous to the execution of the release, shall have made and filed such deposition or affirmation as is mentioned in the second part of the Revised Statutes, chapter one, title one, section fifteen, one-fortieth part of such value:

2. If such alien be a resident of the United States, and has not made such deposition or affirmation as aforesaid, but has taken such incipient measures as the laws of the United States require to enable him to obtain naturalization, one-thirtieth part of such value:

3. If any other alien, one-fifteenth part of such value.

§ 13. The Commissioners of the Land-Office, upon the conditions aforesaid, may, in their discretion, grant releases under the ninth section of this act, coming within the two first subdivisions of the preceding section, and where the value of the land shall not exceed ten thousand dollars.

§ 14. Such release shall confer on the alien the capacity of holding and aliening the lands released.

§ 15. Where the title of any person to lands is or shall be defective, on the ground that he is obliged to deduce the same through an alien not authorised by law to hold and convey lands,

it shall be lawful for him to apply to the Commissioners of the Land-Office for a release of all such interest in the land as the State may have by reason of such alienism.

§ 16. The applicant in such cases shall state in writing,

1. The name of the person from whom he purchased the estate, the time of the purchase, and how much he paid or contracted to pay for the same:

2. The name and place of residence of the alien through whom the title has passed, and in what manner the alien derived his title:

3. The location, quantity and value of the land, with a convenient description of the same:

And all such other matters as shall be required by the Commissioners of the Land-Office.

§ 17. The applicant shall make such proof in the premises as is prescribed by the third section of this act.

§ 18. Upon the execution of any release, pursuant to the fifteenth section of this act, the following proportional parts of the ascertained value of the lands released shall be paid by the grantee into the treasury of this State, for the use of the people thereof:

1. If the supposed title of the alien was acquired by descent or devise, such part of the value as the alien would have been required to pay had he made application under the first section of this act:

2. If the supposed title of the alien was acquired by purchase and conveyance for a valuable consideration, such part of the value as the alien would have been required to pay had he made application under the ninth section of this act.

§ 19. The payments required by the preceding section may be reduced, not exceeding one-half, where it shall appear that the applicant paid the full value of the land, and where he shall prove by his own affidavit or otherwise. to the satisfaction of the Commissioners of the Land-Office, that he purchased in the full belief that his title would be perfect.

§ 20. The Commissioners of the Land-Office, upon the conditions aforesaid, may, in their discretion, grant releases under the fif-

teenth section of this act, in all cases where the value of the land shall not exceed ten thousand dollars.

§ 21. Such release shall operate to confirm the title of the person to whom it shall be given, in the same manner as though the alien had the capacity to transmit the same.

§ 22. The Commissioners of the Land-Office may, in their discretion, grant releases in all cases, and without requiring the payments herein prescribed, where the lands shall not exceed in value the sum of three hundred dollars, and the applicant shall be in indigent circumstances.

§ 23. In all cases where the Commissioners of the Land-Office are not authorised by this act to make releases, and in cases where they shall entertain doubts in relation to the persons who ought, upon equitable principles, to receive the releases which they are authorised to make, or where from any other cause they shall deem it expedient to do so, they shall report the application, with a statement of the facts and circumstances of the case, to the Legislature, for their direction in the premises.

§ 24. Where the Legislature, upon any such report, or in any other case, shall direct a release of the interest of the State in escheated lands, such release shall be made on the terms and conditions prescribed by this act, unless it shall be otherwise specially directed in the act authorising the release.

§ 25. All applications for the release of the interest of the State in lands by escheat, and all applications made to confirm purchases made by, and titles derived through aliens, shall be made in the first instance to the Commissioners of the Land-Office: and before any applicant shall be entitled to a release, he shall cause a notice of his application to be published for six weeks in the State paper and in a newspaper published in the county where the lands shall be situated; or, if no newspaper be published in such county, then in the next adjoining county.

§ 26. The payments required by this act shall be made before the release shall be executed; or, if they amount to the sum of one hundred dollars, may, in the discretion of the Commissioners of the Land-Office, be secured by mortgage on the premises released, pay-

able within two years with interest: and the grantee shall in all cases pay the expenses of the conveyances, and of proving and recording the same.

§ 27. Where any person shall give information in writing to the Commissioners of the Land-Office, or the Attorney-General, of any escheated lands, and shall furnish such proofs as shall enable the people to recover the same, he shall be entitled to receive one-fourth part of all such monies as the State may receive on account of such escheated lands, to be ascertained by the Commissioners of the Land-Office and paid out of the treasury. But the person informing shall not be entitled to compensation in any case where an application shall previously have been made for a release under this act, nor in the cases mentioned in the next following section.

§ 28. Where any person has an immediate right to make application for a release under this act, no person giving information as aforesaid shall be entitled to compensation, if such application for a release shall be made within ten months after the passing of this act: and where an escheat shall hereafter take place, no person giving information as aforesaid shall be entitled to compensation, if application for a release under this act shall be made within six months after the right of the people accrued, or within six months after the person entitled to make such application shall have arrived at full age.

§ 29. Where application shall not be made within the times above prescribed, the applicant, in addition to the sums required to be paid for a release, shall pay such sums as any person who may have given information as aforesaid shall be entitled to receive.

§ 30. The commencement of a suit for the recovery of any escheated lands, shall not prevent an application for a release under this act, if made at any time before trial; but in such cases the applicant shall pay the costs that may have accrued.

§ 31. The Commissioners of the Land-Office shall report annually to the Legislature, within the first twenty days of its session, a statement of all the releases granted under this act, the names of the persons to whom they were granted, the quantity and va-

lue of the lands released, and the monies paid into the treasury, or secured to the people of this State, on account of such releases.

§ 32. The act entitled "An act concerning escheats, and to derive a revenue therefrom," passed April 26, 1832, is hereby repealed.

§ 33. This act shall take effect on the passing thereof.

No. 55.

IN ASSEMBLY,

January 10, 1833.

REPORT

Of the committee on the petitions of aliens, on the petition of David King.

Mr. Salisbury, from the committee on the petitions of aliens, to which was referred the petition of David King, an alien, praying for authority to take, hold and convey real estate,

REPORTED:

That by virtue of a statute law of this State now in force, any alien who has come, or who may hereafter come into this State, may make a deposition or affirmation in writing before any officer authorised to take the proof of deeds to be recorded, that he is a resident in this State, and intends always to reside in the United States, and to become a citizen thereof as soon as he can be naturalized, and that he had taken such incipient measures as the laws of the United States require to enable him to obtain naturalization; which shall be certified by such officer, and be filed and recorded by the Secretary of State in a book to be kept by him for that purpose. And such certificate, or a certified copy thereof, shall be evidence of the facts therein contained. And any alien who shall make and file such deposition, shall thereupon be authorised and enabled to take and hold lands and real estate of any kind whatsoever, to him, his heirs and assigns forever. And your committee, believing that the above recited law makes ample provision for all aliens who wish to become citizens of the United States to hold real estate, therefore see no reason why the prayer of the petitioner should be granted, and recommend that he have leave to withdraw his petition.

No. 56.

IN ASSEMBLY,

January 29, 1833.

REPORT

Of the select committee on the petition of the Mayor, Aldermen and Commonalty of the city of New-York.

Mr. Ostrander from the select committee to whom was referred the memorial of the Mayor, Aldermen and Commonalty of the city of New-York, for the passage of a law to extend Wooster-street to Union Place, in the city of New-York,

REPORTED:

That they have had the subject referred to them under consideration. The memorialists represent that they have been applied to by a number of the inhabitants of the said city to take the necessary measures to extend Wooster-street from its present termination at Eighth-street to Fourteenth-street.

The memorialists further represent, that they have carefully examined the subject; that in their opinion it would be a great improvement to that part of the city, and afford a great public convenience, inasmuch that it will terminate at Union Place, which, from its situation, will probably be one of the most important public squares in the said city.

Your committee are of opinion, from the facts set forth by the memorialists, that the proposed improvement is necessary and proper, and ought to be carried into effect; and as it requires Legislative aid in consequence of the contemplated improvement not coming within the plan laid out by the Commissioners appointed under the act passed April 3d, 1807, it is necessary that an act should be

passed authorising the memorialists to carry the said act into effect.

Your committee are of opinion that the prayer of the petitioners is reasonable and ought to be granted, and ask leave to introduce a bill prepared for that purpose.

No. 57.

IN ASSEMBLY,

January 30, 1833.

REPORT

Of the committee on claims, on the petition of Neal Brown.

The committee on claims, to which was referred the petition of Neal Brown, praying compensation for work done by him on section No. 2, on the Champlain canal,

RESPECTFULLY REPORT:

The petitioner alleges that in 1825, he entered into a contract for constructing section No. 2, on the Champlain canal. The prices stipulated in the contract were, for excavation, six cents, and for embankment, at the rate of twelve cents per cubic yard. That said section was supposed to consist of common earth excavation, and the estimate of price was made, both by the Canal Commissioners and the petitioner, upon that supposition; that after the contract was made, the line of the canal for nearly forty rods was changed, and located more to the eastward, and thrown on to a bluff or hill of hard-pan and stiff clay, which, when excavated, presented a perpendicular height, of from 24 to 26 feet from the bottom of the canal; that in consequence of this change of location, and the difference in excavation, from what was expected, and from what it would have been if the line of said canal had not been altered, an increased expense of more than $3,000 was thrown upon the petitioner, and for which he has hitherto received no compensation; that he dug down about half the distance, and finding the expense so vastly beyond the original estimate, he was compelled to relinquish the further prosecution of the work, and the residue was excavated under the direction of Daniel Stevinson, who was the surety for the petitioner on taking the contract; that before he

abandoned the contract to Stevinson, he excavated 6,000 cubic yards and upwards; and that by work for the State he has been reduced from a state of competence and ease, to that of poverty and wretchedness; that after he abandoned the contract to Stevinson, he (Stevinson) went on and performed the contract, and has been paid for the extra excavation arising from the change of the line of the canal, at the rate of 50 cents the cubic yard over and above the contract price, and he now asks that equal justice may be extended to him.

The claim of the petitioner was presented to the Legislature at the last session thereof, and referred to the Canal Board, who, on the 9th March, 1832, made a report thereon, to which, for greater detail, the committee beg leave to refer, which said report concludes as follows: "The Canal Board are satisfied that Mr. Brown has been a sufferer by his contract; and if the Legislature should think proper to extend to him the same rule of allowance which was adopted by the Canal Board in the case of Daniel Stevinson, there would be due to him as follows, to wit:

For excavating 1,067 yards of hard-pan, at 50 cents per yard, ...	$533 50
7,478.10 yards stone, at 7 cents per yard, ...	523 47
"Total, ...	$1,056 97

The committee have come to the conclusion that the rule of compensation which was adopted in the case of Stevinson was reasonable, and that it should be extended to the petitioner; they therefore have adopted the conclusion of the Canal Board, and recommend the passage of a bill for the relief of the petitioner, and ask leave to introduce the same.

No. 58.

IN ASSEMBLY,

January 30, 1833.

REPORT

Of the select committee on the petition of sundry inhabitants of the city of Albany, relative to gas light.

Mr. Settle, from the select committee, consisting of the members attending this House from the county of Albany, to whom was referred the petition of sundry inhabitants of the city of Albany, for the incorporation of a company for the manufacturing and selling of gas light,

REPORTED:

That they have had the subject referred to them under consideration. The petitioners represent that in their opinion, the establishment of a company in said city, for the manufacturing and selling of gas, would be advantageous to its interest, and promote the convenience of its citizens. Your committee are of the opinion, that the reasons urged by the petitioners to carry into effect this most important object, deserves the favorable consideration of this Legislature.

Your committee, deeming the object contemplated of great importance to the city of Albany, are of the opinion that the prayer of the petitioners is reasonable and ought to be granted; therefore ask leave to introduce a bill.

No. 59.

IN ASSEMBLY,

January 29, 1833.

REPORT

Of the select committee on the petition of the Board of Supervisors of the county of Niagara.

Mr Norton, from the select committee to whom was referred the petition of the board of supervisors of the county of Niagara, praying that an act may be passed authorizing them to loan money to build a poor-house in said county,

REPORTED:

That the committee have had the same under consideration; that it is represented that foreign paupers are coming in upon them in shoals from Canada; besides they have maniacs and idiots, and no place to keep them, the building now occupied being quite too small and inconvenient for that purpose,

The committee have unanimously come to the conclusion, that the prayer of the petitioners is reasonable and ought to be granted; and have, therefore, instructed their chairman to bring in a bill.

No. 60.

IN ASSEMBLY,

January 29, 1833.

REPORT

Of the Committee on public lands, on the petition of Lyman Longby.

Mr. Mabee, from the committee on public lands, to whom was referred the petition of Lyman Longby,

REPORTED:

That they have carefully examined the petition of said Longby, and find that on the 6th day of December, 1827, the petitioner purchased fifty acres of land of one Thomas Little for a valuable consideration; that on the first day of March, 1830, Longby sold said fifty acres of land to Robert Oliver of the city of Baltimore; subsequently it was discovered that Thomas Little was an alien, and therefore not entitled to convey real estate. The last purchaser becoming dissatisfied with the warrantee deed given him by the petitioner, has required additional title, and in order to comply with the request, said Longby asks the Legislature for relief.

The committee have come to the conclusion that the request of the petitioner for confirmation of his title is reasonable, and have therefore directed their chairman to ask leave to bring in a bill.

No. 61.

IN ASSEMBLY,

January 28, 1833.

REPORT

Of the select committee on the petition of William Alcock to change his name.

Mr Angel, from the select committee to whom was referred the petition of William Alcock, for leave to change his name,

REPORTED:

The petitioner states that he is a resident of the town of Pamelia, in the county of Jefferson; has a family of three children under the age of twenty-one years, viz: Robert Franklin, Ann Amelia and James Augustus; and without further detail, asks the passage of a law authorizing him and his family to take upon themselves the surname of Austin.

The committee are of opinion that the name of itself furnishes sufficient reason for legislative action in behalf of the applicant, and as it comes within the common rule of legislation, the committee have prepared and ask leave to introduce a bill conformable to the prayer of the petitioner.

No. 62.

IN ASSEMBLY,

January 31, 1833.

REPORT

Of the select committee on the bill entitled "An act confirming the official acts of justices of the peace in certain cases."

Mr. Farrington, from the select committee to whom was referred the bill entitled "An act confirming the official acts of justices of the peace in certain cases,"

REPORTED:

That in a number of instances, acting justices of the peace whose term of office expired on the 31st day of December last, and who had been re-elected at the last annual town-meeting, omitted to take the oath of office until after the first of January last: That the 15th day of January is the time fixed by law, beyond which the oath of office cannot be taken; and that the said justices have continued to officiate as justices, and perform official acts, intermediate the expiration of their former term of office, and the time of taking the oath under their re-election. This omission to take the oath of office till after the first of January, has probably been owing to an idea that their former term of office continued until the time limited for taking the oath of office under their re-election. This same idea has also led to an exercise of the functions of the office beyond the expiration of their former term. The bill referred to your committee seems to be well calculated to remedy the evils that have grown out of this misapprehension of the law; they therefore recommend its passage, and that it be engrossed for a third reading.

All of which is respectfully submitted.

No. 63.

IN ASSEMBLY,

January 31, 1833.

REPORT

Of the select committee on the bill entitled "An act authorising an additional term of the courts of common pleas and general sessions of the peace in and for the county of Tioga, and regulating the terms of the said courts."

Mr. Farrington, from the select committee to whom was referred the bill entitled "An act authorizing an additional term of courts of common pleas and general sessions of the peace, in and for the county of Tioga, and regulating the terms of said courts,"

REPORTED:

That three terms of said courts are now held yearly in said county; and that the terms are held alternately at Owego and Elmira: That the county is divided into two jury districts; and that causes arising in one district cannot be tried in the other. This is the cause of frequent and very great delays in bringing suits in the said courts, to a termination. The three terms have also been found inadequte, for two or three years past, to the transaction of all the business of the said courts. The bill under consideration, seems to be well calculated to remedy the embarrassments and delays incident to the present arrangement of said courts. Your committee, therefore, recommend its passage, and that it be engrossed for a third reading.

All of which is respectfully submitted.

No. 64.

IN ASSEMBLY,

January 29, 1833.

REPORT

Of the select committee on the petition of Richard Riker and others, relative to the incorporation of the "Academy of Inventions and Arts."

Mr. Morris, from the select to whom was referred the petition of Richard Riker and others, citizens of the city of New-York, praying for the incorporation of an institution in the city of New-York, to be called "The New-York Academy of Inventions and Arts,"

REPORTED:

As disclosed by the petition, the object of the institution prayed for, is to encourage inventions and the arts; to facilitate which, it is desired to establish rooms in the city of New-York, to exhibit "articles possessing superior or peculiar merits or utility; machines, models and drawings," which the petitioners assert will answer the double purpose of emulation and instruction.

Your committee are of opinion, that an institution confined strictly to the object for which the petitioners ask this corporation, will be of general benefit. It will become the depository of machines, models and drawings, where comparisons may take place, defects be detected and remedied, and useful inventions become immediately and generally appreciated. The committee ask leave to introduce a bill.

No. 65.

IN ASSEMBLY,

January 24, 1833.

REPORT

Of the select committee on the petition of Samuel Swartwout and others, relative to trout in certain waters of Long-Island.

Mr. McKeon, from the select committee to which was referred the petition of Samuel Swartwout and others, praying for a law to protect trout in certain waters of Long-Island,

REPORTED:

The petitioners represent that the fish called trout was formerly found in abundance in the Long-Island waters, but that for several years past they have been rapidly decreasing in consequence of the devices employed for taking them, in order to obtain a temporary profit at the Brooklyn and New-York markets. So injurious have these devices been, that unless a check be given by the Legislature, the trout will soon disappear from Long-Island.

The trout during the months of October and November, and from that time inclusive until the month of March following, are unwholesome and unfit for food. The committee, desirous of prohibiting the destruction of this valuable species of fish, have in accordance with the prayer of the petitioners, prepared a bill, and ask leave to introduce the same.

No. 66.

IN ASSEMBLY,

January 12, 1833.

ANNUAL REPORT

Of Nelson Bodwell, Inspector of Sole Leather for the county of Genesee.

In compliance with the act of the Legislature, in such case made and provided, I, Nelson Bodwell, an inspector of sole leather for the county of Genesee, do make report as follows: that during the time from the 14th day of July, 1832, the time when I began to inspect, and ending the 1st day of January, 1833, I have inspected

	963	sides good leather.
	240	" damaged leather.
	3	" bad leather.
	1206	
Fees,	4	cents per side.
	$48 24	
Expenses, .	8 00	
Remaining,	$40 24	

Weight, ...	19,574
Probable value, ...	20 cts. per lb.
	$3,914 80

That the manufactories are improving in quantity and quality. The principal part that I have inspected is for Phœnix Chapin & Co. of Perry; 963 sides for Phœnix Chapin & Co. Graves, of Le Roy, has not had his inspected this year; it is probable that he will next; and Phœnix Chapin & Co. will be about one-third larger the next year than it has been this.

Given under my hand at Perry, Genesee county.

NELSON BODWELL.

January 1*st*, 1833.

No. 67.

IN ASSEMBLY,

January 30, 1833.

REPORT

Of the committee on Claims, on the petition of David Clancy.

Mr. Russell, from the committee on claims, to which was referred the petition of David Clancy, praying that a law may be passed authorising the Treasurer to repay to him $26.20,

RESPECTFULLY REPORTS:

The petitioner alleges that he is the owner of lot No. 119, in Klock and Nellis's patent, in the county of Montgomery; that in 1830 twenty acres of the northwesterly part of said lot was sold by the Comptroller for arrears of taxes due on said lot for the years 1822, '23, '24, '25, '26, to Jesse Buel, for the sum of $21.93, that being the amount charged thereon; that on the 17th day of April, 1832, and within the time allowed by law for the redemption thereof, he paid to the Treasurer of this State the sum of $26.20, for the purpose of redeeming said land, that being the amount required by law to be paid for the redemption thereof, and took the Treasurer's receipt for the same; but not knowing that it was necessary to have the same countersigned or certified by the Comptroller, or entered in his office, he omitted to have it done. The receipt of the Treasurer accompanies the petition.

Under these circumstances, the committee are of opinion that they are not called on to determine how far this payment operates as a redemption of the land sold. The petitioner takes it for granted that the purchaser, Mr. Buel, is entitled to a conveyance for the land so purchased from the Comptroller, assuming that the same has not been redeemed according to the provisions of the act.

By reference to the 1st vol. R. S. page 412, § 86, it will be found that the receipt of the Treasurer, countersigned by the Comptroller, and accompanied by a certificate of the Comptroller, under his hand and seal of office, stating the payment, and showing particularly what land such payment was intended to redeem, *shall* be evidence of such redemption. And by the 66th section, page 409, it is provided, that "the owner or occupant of any land sold for taxes, or any other person, may redeem the same at any time within two years after the last day of such sale, by paying to the Treasurer for the use of the purchaser, his heirs or assigns, the sum mentioned in his certificate, with interest at the rate of ten per cent per annum from the date of such certificate."

It may well be questioned whether this last mentioned section of the act has not been fully complied with, and whether the 86th section impairs its operation. It is certain, however, that the State has received into its treasury the amount of the tax upon this lot from Mr. Buel, the purchaser, and it is equally obvious, that the petitioner has paid the same tax into the treasury, with a view to the redemption of his property; so that the State has twice received the same tax. And as the petitioner does not seek to draw in question the right of the purchaser to the land in question, but asks only a return of his money, the committee are of opinion that his claim is reasonable and just, and that he is entitled to the relief solicited, and therefore ask leave to introduce a bill for that purpose.

No. 68.

IN ASSEMBLY,

January 28, 1833.

REPORT

Of the select committee on the petition of sundry inhabitants of Genesee, relative to small pox.

Mr. P. Patterson, from the select committee to whom was referred the petition of sundry inabitants of the county of Genesee, praying for the passage of a law to prevent the spread of the small pox in this State,

RESPECTFULLY REPORTS:

That the petitioners represent that the small pox broke out in the town of Perry, in said county of Genesee, and the authorities of the town removed the persons thus infected, to an obscure place, to prevent the further spread of the disease: That a person representing himself to be a steam doctor, procured some of the infection and proceeded to inoculate persons, not only in the town of Perry, but also in the town of Covington, in said county: That one of the persons thus inoculated, died on the first day of January inst. Your committee are, therefore, unanimously of opinion that the prayer of the petitioners is reasonable and ought to be granted, and have accordingly directed their chairman to ask leave to introduce a bill.

No. 69.

IN ASSEMBLY,

January 31, 1833.

ANNUAL REPORT

Of the Bank Commissioners.

January 31, 1833.

To the Hon. C. L. Livingston,
Speaker of the Assembly.

SIR,

We have the honor herewith to transmit our annual report, and are,

With great respect,
Your obedient servants,

C. STEBBINS,
G. R. DAVIS,
LEWIS EATON,
Bank Commissioners.

REPORT, &c.

To the Honorable the Legislature of the State of New-York.

The Bank Commissioners, pursuant to the "Act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes,"

RESPECTFULLY REPORT:

That exclusive of the three branches of the United States Bank, there are now seventy-one banks incorporated in this State, two of which have branches. The aggregate capital of the whole, amounts to $25,681,460.

Sixty of these are subject to the inspection of the Bank Commissioners, and all except the Schenectady and Steuben County Banks were in operation on the first of January instant.

We report them all in a safe condition.

The charter of the Orange County Bank was renewed at the last session of the Legislature, subject to the usual conditions, but we have not yet been applied to, to examine its condition.

Annexed is a list of the corporations, with abstracts taken from the reports made to us on the first instant, and an aggregate statement of the condition of the whole.

The bank fund now amounts to about $170,000, and the annual contributions to it will hereafter exceed $100,000. To such of the banks as contribute most, and which happen to be those whose dividends are the least, the productive investment of this fund is a matter of great interest, and to none is it a matter of indifference.

The limited powers of the Comptroller, in regard to the investment, render it very doubtful whether any fair income can be realized from the fund under the present law. The stocks in which

alone he is authorized to invest, have been, and probably will continue so high, as not to afford four per cent interest, while there is supposed to be no difficulty in making a safe investment at much better interest, if the requisite authority were conferred by law.

It is but just that it should be invested in some way for the benefit of the banks, agreeable to the legislative pledge, which was made to them in the bank fund law, and it would seem to be but fair that they should have the benefit of the best investment that can be made, consistent with the safety and interest of the public.

The most important inquiry connected with the subject of banks, if not the most important question of State policy at present, is, to what extent shall bank capital be increased?

Since the adoption of our present banking system in 1829, thirty-six new banks have been incorporated, whose capitals amount to $7,000,000; and the experience of the past most abundantly proves that this large amount of additional capital, scattered throughout the State, has had no effect to satisfy the demands either of the applicants for stock, or the borrowers of money.

During the time alluded to, the business of the country has been uncommonly active, and except for a short time during the last fall and winter, has experienced none of those alternations to which all commercial communities are subject. The business of banking has of consequence been profitable, and capital invested in it has yielded a better interest than most other investments. The average dividend of all the banks which have been in operation the whole of the last year, is 7.14 per cent.

Distinguishing between the city of New-York, and the other parts of the State, the average is for the city banks, 6.14 per cent, and for the other banks of the State, 9.00 per cent.

The prices of bank stock both in the city and the country and the number of applications for new banks, most clearly indicate that these stocks are now the favorite investments of capital, and that the confidence of the community is sufficiently established, both in the security and productiveness of such investments. This confidence is due to the undisturbed state of the commercial business of the country—the abundance of the crops and the facilities of market—the absence of any considerable demand for re-

demptions in specie, and the very favorable arrangements for promoting the exchanges between the different banks in the interior.

Such has been the operation of these causes that it has required neither extraordinary skill, nor uncommon exertion to make the business of banking profitable. The times have not been such as to test the solidity of individual credit, and the new banks especially, have not been sufficiently long in operation to develope the precise character of their debts.

But it would be unreasonable to expect that such a state of things is to continue always. We must expect commercial embarrassments deranging the accustomed business of the community—prostrating the credit of individuals and subjecting the banks to extensive losses. We must not always expect to be peculiarly favored with abundant crops and good markets. We should deceive ourselves in supposing that a paper currency of twelve millions can be sustained by less than two millions of specie through every revulsion to which we may be subjected And when commercial distress does overtake us, we shall certainly find that the banks will experience their full share of the suffering.

The legitimate use of banks is not for the purpose of loaning capital, but for the purpose of furnishing a currency to be used instead of specie, in facilitating the exchanges of property; and it is even supposed by some persons of great experience and sagacity, that the use of capital should be prohibited entirely. Our policy however, has been to associate the use of capital with the power of issuing circulation, considering it beneficial as affording additional means of sustaining that circulation. A paper currency must be sustained by being easily and freely convertible into coin, or its value as a currency is gone. The command of capital, besides the means received in exchange for the circulation issued, unquestionably is of use in sustaining that circulation; but beyond that is of no more use to the community than the same capital in the hands of the stockholders—indeed not of so much.

We want currency sufficient to promote the exchanges of the community, and banks sufficient to furnish that currency with powers adequate to sustain it—and there the chief use of banks to the community ceases.

They can only be useful otherwise by furnishing safe places of deposit for money, and by furnishing the aid of capital to productive industry. Both these purposes may as well be answered by other means, and the last better.

Capital and currency are distinct things.

If loans of capital are required, it is better for the community as well as the borrower, that they should be made of individuals or corporations not having the power of issuing currency, than of banks which have. An individual making a loan of capital adds nothing to the currency, but a bank in doing it puts in circulation so much additional paper currency, and although it may not long be wanted as such, and soon returns, yet it swells the currency for a time, and the operation often repeated, keeps it constantly swollen. It is thus, by making loans for short periods, requiring payment, and then re-loaning their own paper, that banks are enabled to sustain their circulation.

But bank credits, besides being too short for the convenience of borrowers of capital, are also too precarious. The necessities of an institution having to redeem its paper in pressing times, oblige it to call upon its debtors for re-payment precisely at the very moment when it is least convenient for them to make it. It is not often so with individuals who have capital to lend; they are not so immediately affected by commercial revulsions, and therefore not under the same necessity of pressing their debtors in critical times, and for this reason, we find by observation, that a community within the influence of banks, always suffers more by the vicissitudes of the times, than one which is removed beyond their influence.

For the mere purpose of loaning capital, banks of circulation are worse than unnecessary. Their place would be better supplied by loan offices, or banks of deposit and discount only; because the operations of loaning by such an institution would not affect the currency, and also because, having no currency of its own to be provided for, it would be better enabled to loan for a long or indefinite time, to suit the convenience of the borrower.

Banks loans in the way of enabling the producer or manufacturer to get his commodities to market, or of anticipating its proceeds, by means of drafts, or of converting the paper received upon sales of property into currency, are highly advantageous to men of busi-

ness, as well as the banks, and this is the legitimate business of banks of circulation; but rather than to invite the conversion of capital into bank stock, for the purpose of being loaned, and of furnishing by that means capital for manufacturing, agricultural or commercial business, we should think it would be far better to devise some other means of bringing the capital into market, either by the incorporation of companies unconnected with the currency, or by so equalizing the product of capital, whether loaned by individuals or through the agency of banks, as to bring it fairly into competition.

The profits of capital loaned by banks beyond those of capital employed in the same way by individuals consist in the use they are enabled to make of circulation and deposits, and as these in most instances in the country exceed the expenses of the institution, the advantage is in favor of the former investments; but it would be an exceedingly hazardous attempt to destroy that advantage by multiplying banks, and thereby increasing the competition between them, with the certainty of multiplying, and at the risk of deranging the currency of the country.

The increase of banks beyond the wants of the country for the purpose of supplying the means of exchange, we consider injurious, both as tending to divert capital from the different branches of domestic industry, and as tending to overload and embarrass the currency, and thereby aggravate the distress occasioned by commercial or other embarrassments.

Capital always seeks those investments which are deemed most safe and productive, and as long as bank stocks shall command as much confidence as they do at present, and the Legislature shall be disposed to enlarge the bank capital, it will be unreasonable to expect to find capital seeking investment in manufacturing establishments, unless the profits of manufacturing equal the dividends of banks. It is believed that at present manufacturing capital is neither considered so safe or productive, and it might be worthy of the investigation of the political economist to inquire how far, if at all, the necessity of protecting domestic industry, which is alleged to exist, may be due to the very large increase of bank capital throughout the Union since the tariff of 1828, and to the expanded if not overloaded state of the paper currency.

Should such in any degree have been the case, the inquiry how far it would be wise to offer such inducements for the investment of capital in banks as to withdraw that now invested, or which otherwise might be invested in manufacturing or other productive employments, would press upon us with great interest.

True it may be said, that the flourishing condition of the banks is evidence that banks are wanted to aid the operations of industry, but the argument, we apprehend, is rather specious than sound. If it be true that banks of circulation are not the fit instruments for loaning capital, the extent of their usefulness in the matter of loaning must be measured by the amount of business paper which they receive in exchange for currency. And by that is meant paper founded upon actual business transactions, to be paid at maturity, and not that which is *made* for the purpose of procuring a loan to be renewed until some indefinite period, when the circumstances of the borrower shall render it convenient to pay, or the necessities of the institution shall oblige it to require payment.

Of the discounted paper of the country banks we should think less than half was entitled to the denomination of business paper. The prosperous condition of the banks, therefore, and the anxiety for more would seem to indicate rather a want of *capital* in the country than of *banks*. And when we look at the enormous amount of capital loaned in the country from the banks, from the trust and insurance companies, from the Connecticut school fund, and from individual capitalists, it is difficult to conceive to what possible use it can be profitably applied. Yet there seems to be no want of borrowers, nor any difficulty in making safe investments at the legal rate of interest. The amount due from the community to the banks in this state, including the branches of the United States Bank, varies but little from fifty-three millions of dollars, and that is probably about the ordinary amount.

But it is with reference to the currency that banks are most intimately connected with the public interest, and in that respect the connection is both useful and dangerous. Too much currency, even in prosperous times, is an evil. It encourages profuseness of expenditure and extravagance in living, hazardous speculations and improvident investments. In some degree it enhances prices, particularly of those articles which are not the subject of

exportation, and prepares the community, by making them familiar with plenty, to suffer far more severely by the scarcity which in the ordinary alternations of business is sure to follow. The power delegated to these corporations over the currency, by the exercise of which the circulating medium can at one time be expanded beyond the wants of the community, and at another contracted within those wants, is one which may affect the pecuniary interest of individuals more oppressively perhaps than any power which the government itself can directly exercise. It is felt in the rise and depreciation of the value of property, and affects the whole community, as well those who have no intercourse with banks as those who may have. It unsettles the calculations upon which contracts have been based, and rewards the man of prudence, judgment and experience, as well as the adventurer in business, with bitter disappointment.

The indemnity afforded by our law to the creditors of banks, certainly mitigates the evils occasioned by commercial distress and a disordered currency, but it is, and from the nature of the case can only be, a *mitigation.*

The man who but lately invested his capital in property, and finds it suddenly depreciated in value, perhaps to the extent of his whole fortune, will look to the bank fund with but little satisfaction for the payment of the small amount of bank notes which he may happen to have in his pocket.

It is true that the banks can never be expected to contract the circulation for the mere purpose of causing embarrassment, (becuase, if for no other reason, it would be against their interest, and difficult to form a combination for that purpose among so many,) and that such a contraction must always be the result of causes beyond their control, and for which they of course are not to be held accountable, yet the evil is the same from whatever source it may spring.

It is the transition from a profusion to a scarcity of money, that creates the distress; and it is clear that the more paper currency there may be afloat, the greater will be the distress occasioned by reducing it to that amount, at which it can be sustained by the specie of the country.

We have heretofore estimated the entire circulation of the banks of this State on the first of January, 1831, at $10,397,541; and on the first of January, 1832, at $14,112,430; andon the first of January, 1833, it is estimated at $14,500,000.

It will be seen by the following table, showing the capital and circulation of the banks out of the city of New-York, at different periods, that their circulation keeps very near to the amount of capital, and we see no reason why it may not be expected to do so in future, as the amount of capital shall be increased:

	Capital.	*Circulation.*
1830, January 1,.....	$4,452,260	$3,974,345
1831, January 1,.....	7,022,260	6,862,541
1832, January 1,.....	8,172,260	8,622,277
1833, January 1,.....	8,720,260	8,783,360

It is the interest of every institution to keep out as much paper as possible, and much is effected by the exertions which are prompted by that motive. It is no very difficult matter in almost any part of the country for the directors and stockholders who are interested in a bank, to force into circulation by means of exchanges as well as ordinary business, and to keep out by the same means a very fair circulation, particularly, so long as there are no apprehensions of a demand for specie. The amount of circulation also, is by no means proportioned to capital. The banks, with small capitals enjoy nearly as great a circulation as the larger ones, which shows that much depends upon these exertions, although much also is due to location. It must be expected therefore, that the increase of banks will continue to increase the bank paper in circulation as it has done heretofore, so long as it continues as it now is, practically irredeemable in specie, in consequence of there being no demand for coin.

The overtrading which a too abundant supply of paper money always occasions, and the apparently favorable effect which it has upon prices, are seldom regarded as the harbingers of approaching embarrassment, and less often attributed to the state of the currency, and so long as the demand for redemption is postponed are rather regarded as the evidences of general prosperity. But it is when this paper shall become practically as well as nominally redeemable in coin—when the necessities of the country will admit

of no substitute, that the deplorable consequence of an over issue of bank paper will be developed. The moment specie cannot be commanded for this paper, the currency depreciates, and then follows the fluctuation of property, and the ruin of credit.

It is impossible to foresee the causes which may produce such a pressure. A European war may so advance the price of silver there, (it being a mere article of merchandize in England,) as to produce a demand for exportation. The state of accounts between us and other countries always exposes us to such a demand when we happen to become the debtor. The state of things in our own country, such as the possible winding up of the United States Bank, or other occurrences more unfortune, may also occasion a pressure to a greater or less extent. But from whatever cause a pressure may be expected to spring, it would be unwise to expose ourselves unnecessarily to the evils of a disordered currency.

The currency is a subject of too pervading interest not to be regarded with intense anxiety by all, and of too delicate a nature to be exposed to the scrutiny of distrust.

We know it is thought by many, and the observation is not un frequently made, that inasmuch as the public are secured against ultimate loss by the banks by means of the bank fund, that there is now no danger from their increase. Nothing, however, can be more erroneous.

If it be true, that the multiplication of banks increases the proportion of bank paper in circulation—that such proportion may be greater than can be redeemed in specie under any extraordinary pressure—that an inability to pay specie when demanded necessarily depreciates the paper, besides occasioning distrust, if not the ruin of the institution—that the failure of a few banks would create distrust of the whole, and probably such a panic as to disorder the whole paper currency—that stability in the value of property essentially depends upon the stability of the currency. It is easy to perceive that an excessive increase of bank capital may be attended with the most injurious consequences to the community, however safe the creditors of banks may ultimately be. It would be possible to imagine a state of things so disastrous; a pressure so severe; a currency so disordered; property so fluctuating, and individual credit so prostrated, in consequence, as even to render the

ability of the banks, or many of them, to contribute to the bank fund questionable. That, however, must be an extreme case, and we should probably err on the side of prudence by anticipating it.

From the best data within our reach, we estimate that, (exclusive of large additions within the last year, and in some instances, the last two years,) there are in operation in the United States, three hundred and seventy-three incorporated banks, and seventy-nine branches, making in all four hundred and fifty-two banking establishments, with an aggregate capital of $159,500,000, having $86,000,000 of bank notes in circulation, and possessing about $20,000,000 of specie.

This enormous amount of bank paper constantly floating upon the public confidence of its convertibility into coin at pleasure; subject to expansion or contraction to almost any extent, is certainly sufficient to raise the interesting inquiry whether all is safe? If we add to the 86 millions of circulation, 30 millions as the probable amount of individual deposits, we have the amount of one hundred and sixteen millions for which the banks are liable to be called upon at any moment!

With a number of banks limited to the wants of the community, for the legitimate purposes of banking, we consider the bank fund and the existing laws as affording ample, and almost perfect security; but if banks which exercise such a powerful influence over the currency, and thereby indirectly over the fortunes of individuals, and the prosperity of the country, are to be created without limit for the chief purpose of performing the appropriate functions of loan offices, or for the less meritorious purpose of furnishing valuable investments of capital by means of that very power of overloading the currency, it will be impossible to say what may be the result.

The amount of the canal fund loaned to the banks which report to us, and on deposit with them, it will be seen, is $2,745,053. The whole amount in all the banks of the State is probably somewhat more, and in the report of the commissioners of that fund their intention is intimated of continuing this mode of investment.

This amount, together with the annual accumulation of more than a million, must remain invested in this or some other shape (unless the stocks can be purchased, which is not very probable,)

until 1837, when about three and an half millions of the canal stock is redeemable.

The banks can use this money profitably so as to afford to pay interest, in no other way than by loaning it to individuals as they do their own capital, and if the present mode of investing the fund is continued until the canal debt is payable, we apprehend its payment will occasion serious embarrassment to the community.

The withdrawal at any time of so large an amount of capital from the business operations of the State would be very seriously felt, and as the stock is chiefly held in Europe, if such withdrawal should happen to take place during a time of general embarrassment from other causes, the consequences might be extensively disastrous.

We would respectfully suggest the propriety of authorizing the investment of this fund in some of the stocks of other States, say Pennsylvania or Ohio. Such an investment might be made gradually, so as not to embarrass the banks; and when the money shall be wanted to redeem our own stocks, these foreign stocks may be easily converted into money by throwing them into the market, without embarrassing our own banks or citizens. Or, if any difficulty should be apprehended as to the sale of so large an amount of stocks without a sacrifice, we should think it would be practicable to have a portion at least of this fund loaned to banks in other States, upon adequate security, so that the pressure to be occasioned by payment should not fall exclusively upon our own community. Should these suggestions be considered of any value, it is not, in our opinion, too early to commence giving them effect.

Under a law passed prior to the bank fund law the public deposits in the city of New-York are made in the Manhattan Bank, and the public stocks are there transferrable. As this bank is not subject to that law and contributes nothing to the bank fund, while nearly all the other banks in the city contribute largely, it would seem to be fair that the patronage of the State should be bestowed upon some of those which are subjected to this exaction. We are not advised whether this patronage is of much value or not, nor is it perhaps so material in that respect as it might be considered on the ground of principle.

It is due to the banks in whose favor these suggestions may be supposed to operate, to say, that they are not made at the request or suggestion of any of them, and it is also due to the institution above named, to state, that they are not made from any suspicions as to its entire safety, but simply for the reason that as this bank is exempted from a tax which the State has imposed upon the others, and is not subject to the examinations which the others are, that the others have a better claim to the patronage of the State.

The practice of keeping deposits with the brokers in New-York by the country banks is still continued by several of them, and the funds of the country banks in that city are nearly equally divided between the brokers and banks.

The amount of country bank funds in the city on the first instant was, in the banks, $791,585; and in the hands of brokers, $787,606. These sums are aggregate nett balances.

Respectfully submitted.

CHARLES STEBBINS,
GEO. R. DAVIS,
LEWIS EATON,
Bank Commissioners, of the State of New-York.

Albany, January 31, 1833.

Aggregate Statement of the Banks in Pennsylvania and Massachusetts.

37 Banks. PENNSYLVANIA. November 5, 1832.

Discounted notes,	$25,230,982	Capital,	$14,565,368
Loans and bonds, mortgages, &c.	2,007,587	Circulation,	9,237,510
Bank stocks,	881,711	Dividends unpaid,	351,303
Public stocks,	598,816	Due other banks,	2,549,168
Canal, turnpike and bridge stocks,	575,700	Loans,	1,439,920
Real estate,	1,261,146	Individual deposits,	8,337,298
Expenses,	149,243	Profit and Loss,	1,828,212
Due from banks,	2,031,488	Tax on dividends,	49,101
Notes of other banks,	2,735,216		
Specie,	2,885,991		$38,357,880
	$38,357,880		

83 Banks. MASSACHUSETTS. August 1, 1832.

Debts and stocks,	$38,889,727	Capital,	$24,520,200
Due from banks,	2,307,784	Circulation,	7,122,856
Real estate,	738,612	Due other banks,	1,993,904
Bills of state banks,	1,027,362	Deposits on interest,	6,268,584
Bills of other banks,	174,568	do not on interest,	2,938,970
Specie,	902,205	Profits,	1,031,900
	$44,040,258		$43,876,414

STATE OF NEW-YORK.

Aggregate Statement of 58 *Banks reporting to the Bank Commissioners on the* 1*st of January,* 1833.

Notes discounted,	35,568,525	82	Capital,	$20,175,860	00
Bonds and mortgages,	549,214	49	Bank notes in circulation,	12,215,926	13
Debts in judgment,	259,646	99	Profits,	2,286,236	21
Debts in suit,	191,159	59	Peposits to apply on debts,	148,771	76
Special loans,	1,513,041	65	Dividends unpaid,	175,452	64
Real estate,	997,311	65	State of New-York deposits,	22,378	48
Stocks owned by the banks,	73,799	68	Due Commissioners of the Canal Fund,	2,745,053	19
Overdrafts,	279,426	01	Due individual depositors,	7,909,860	28
Personal estate,	21,389	97	Due corporations, bankers and brokers,	7,335,927	30
Expenses,	132,573	70	Special loans,	107,388	55
Bank fund,	135,727	77	Due to parent banks from branches,	432,774	24
Specie,	1,792,392	81			
Bills of solvent banks,	4,904,646	24		$53,555,568	78
Items counted as cash,	822,717	03			
Due from corporations, bankers & brokers,	5,878,594	72			
Due from branch banks,	435,400	66			
	$53,555,568	78			

[illegible]			
9,419	26,655	28,270	9,900
5,598	16,268	35,350	10,000
13,000	17,132	73,170	12,000

STATE OF NEW-YORK.

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Expenses,	132,573	70	Special loans,	107,388 55
Bank fund,	135,727	77	Due to parent banks from branches,	432,774 24
Specie,	1,792,392	81		
Bills of solvent banks,	4,904,646	24		$53,555,568 78
Items counted as cash,	822,717	03		
Due from corporations, bankers & brokers,	5,878,594	72		
Due from branch banks,	435,400	66		
	$53,555,568	78		

9,419	26,655	28,370	9,900
5,598	16,268	35,350	10,000
13,000	17,132	73,170	12,000

No. 70.

IN ASSEMBLY,

January 16, 1

REPORT

Of the select committee, on the petition of Matthew Codd.

Mr. Robertson, from the select committee to which was referred the petition of Matthew Codd, of the town of Bergen in the county of Genesee, for an act to change his name,

REPORTED:

That they have examined the said petition, and find the following to be the principal reasons of the petitioner: That the name of Codd, although common in the country from which he came, was quite uncommon in this country, where he intends to spend the remainder of his life; and that he desires the name of Henderson, if changed, because it was the maiden name of his mother. Your committee are unanimously of the opinion that, from the reason expressed in the petition, and the filthy association naturally produced in the mind on the pronunciation of the name *Codd*, the prayer of the petitioner is reasonable, and ought to be granted, and have accordingly prepared a bill, and directed their chairman to ask leave to introduce the same.

No. 71.

IN ASSEMBLY,

January 15, 1833.

ANNUAL REPORT

Of Isaac Ingersoll, Inspector of Beef and Pork for the county of Madison.

To the Honorable the Legislature of the State of New-York.

The following is the number of barrels of pork and beef inspected by me in the year 1832.

1,281 barrels prime pork.
450 " mess pork.
6 " prime beef.

1,281	barrels	prime pork,	valued at	$9 00	per barrel,	$11,529	00
450	"	mess pork,	"	12 00	"	5,400	00
6	"	prime beef,	"	6 00	"	36	00
						$16,965	00

Inspector's fees on the above, at 27 cents per barrel, ... $468 99

ISAAC INGERSOLL,
Inspector.

Cazenovia, January 11th, 1833.

No. 72.

IN ASSEMBLY,

January 16, 1833.

ANNUAL REPORT

Of James Radliff, Inspector-General of Staves and Heading for the city and county of Albany.

Albany, 12th January, 1833.

Pursuant to the provisions of part first, title second, article third, section 143 of the Revised Statutes, I transmit my report of the number of staves and heading inspected in the city of Albany, in the year 1832.

Prime pipe staves,	204,417	
Culled "	85,575	
		289,992
Prime hogshead staves,	221,035	
Culled " "	81,675	
		302,710
Prime barrel staves,	309,851	
Culled "	156,126	
		465,977
Prime hogshead heading,	123,690	
Culled " "	41,423	
		165,113
Total staves and heading,		1,223,792

Fees for inspecting, 10 cents per thousand, ... $122 38

JAMES RADLIFF,
Inspector-General of staves and heading.

No. 73.

IN ASSEMBLY,

January 31, 1833.

REPORT

Of the committee on claims, on the petition of Benjamin Mooers.

Mr. Russell, from the standing committee on claims, to which was referred the petition of Benjamin Mooers,

REPORTED:

The petitioner states that he is the owner of a number of lots in a tract set apart for the Canadian and Nova Scotia refugees, situate in the county of Clinton; which were sold by the Comptroller in the spring of 1830, for arrears of taxes due on them. Among others was lot No. 34; that shortly previous to the 5th day of May last, he sent a list of his lots to the Comptroller's office by Mr. Myers, with a view to have the same redeemed, with money for that purpose; and as lot No. 34 was purchased by a gentleman in Troy, requested Mr Myers to call on him and negotiate for the purchase of the certificate; and if he should not succeed in obtaining it, then to add said lot No. 34 to the list of lots to be redeemed: That Mr. Myers, not succeeding in obtaining said certificate, added it at the bottom of the list, preceded by a figure intending to represent the word "and," but which so nearly resembled the figure 2, that the Comptroller understood it to mean lot No. 234: That the money was paid into the treasury for the redemption of said lots, including lot No. 234, and leaving the tax upon lot No. 34, unpaid: That the petitioner is not the owner, nor ever was, of lot No. 234; and did not intend to pay the tax thereon, but did intend that the tax on 34 should be paid; but that the Comptroller inadvertently misapplied the money so paid into the treasury, under the aforesaid circumstances; in consequence

of which, the petitioner lost his lot No. 34, and 234 was redeemed. The petitioner verifies the relation given in his petition by his own affidavit, and the same is corroborated by the oral declaration made to the committee by the Comptroller.

The petitioner asks the repayment of the amount paid into the treasury, by which lot No. 234 was redeemed; that sum being thirty-seven dollars and five cents, and that the same may recharged upon said lot No. 234.

The committee are of the opinion, that the petitioner is entitled to the repayment of the money thus paid into the treasury by mistake, and although it appears from the Comptroller's books, that the tax upon lot No. 234 has been paid, which may be prima facia evidence that the lot is discharged therefrom, yet that question is open to explanation, and that which has been given, in the estimation of the committee, is fully sufficient to explain and rebut the presumptive evidence arising from the inspection of the books.

The committee are therefore of opinion, that the allegations of the petitioner are true; that he is entitled to the relief sought for, and that it is the right of the State to require the Comptroller to recharge said lot No. 234, with the said $37.05 and with the same effect as though the same had not been paid in the manner aforesaid.

In accordance with these views, the committee ask leave to introduce a bill.

No. 74.

IN ASSEMBLY,

February 1, 1833.

REPORT

Of the select committee, on the petition of the Firemen of the city of Albany.

Mr. Livingston, from the select committee to which was referred the petition of the firemen of the city of Albany, praying for the passage of an act to amend and extend the act entitled "An act to incorporate the firemen of the city of Albany, and for other purposes,"

RESPECTFULLY REPORTS:

That in the year 1829, the act relative to the firemen of the city of New-York which was passed in the year 1816, was so amended, that the seventh section of an act relative to the firemen of the city of Albany, passed in 1818, was thereby repealed. That the act of 1829, would produce such a result, it is believed, was not contemplated by the Legislature. The seventh section of the act (passed in the year 1818,) relative to the firemen of the city of Albany, granted and extended to the firemen of the city of Albany, the same privileges which were given by the act of 1816, to the firemen of the city of New-York. In amending the act relative to the firemen of the city of New-York, it is not singular that the Legislature should have forgotten that another act had been made to depend for its efficacy upon that act. The petitioners state, that it is now doubted, or rather that a diversity of opinion exists, as to the term of service which they must endure to entitle themselves to the immunities and benefits conferred on them by the act of 1818. Your committee having investigated the statements of the petitioners, are constrained to say that they believe that further legislation upon this subject is necessary. The committee have prepared a bill to remedy the difficulty complained of, which they now ask leave to introduce.

All which is respectfully submitted.

No. 75.

IN ASSEMBLY,

February 1, 1833.

REPORT

Of the select committee, on the petition of sundry inhabitants of the county of Albany, relative to improving the breed of Horses.

Mr. Livingston, from the select committee to which was referred the petition of a large number of respectable inhabitants of the county of Albany, praying for the passage of a law allowing and regulating a "Horse fair market and race course" in said county,

RESPECTFULLY REPORTS:

That they have given to this subject an attentive consideration. The petitioners state that the public have derived lasting and important benefits from the institution and organization of the "Union Course" on Long-Island, and the "Dutchess Course" at Poughkeepsie. They say that the previous legislation upon the subject above referred to, has conduced to the great improvement of the breed of that most noble and useful of animals, the horse; and that the establishment of the said race courses has induced an active and beneficial competition in the raising of horses.

The petitioners further state, that from a well governed "Horse fair market and race course" they believe the morals of the community would derive a deep and lasting benefit. They say, however, that they are willing that the Legislature should prescribe the most rigid rules of government for the race course, so that gaming and other vices may be prevented.

Your committee not only believe that the statements of the petitioners are well founded in fact, but they concur in the inferences and deductions drawn from the facts stated.

Your committee are in favor of allowing open, public, liberal and manly amusements, and more especially are they willing to do so, when they believe that such amusements tend to produce benefits which are shared by all classes of our fellow-citizens. The advantages that have resulted to agriculture from well regulated race courses are too obvious to render it necessary for your committee to set them forth in detail. And your committee can see no good reason why some legislation, calculated to be beneficial in its results to the farmers of this State, should not be had, while so much of the time of the representatives of the people is taken up in legislating for banks and bankers.

Your committee are apprehensive, that if we proscribe open and liberal amusements, that we shall thereby drive our citizens into private and odious vices. The racing of the horse, it is well known, has been approved of and is now tolerated among the most polished and enlightened nations of Europe, and is now practised, under legislative enactments, not merely in this State, but in some of the middle and in most of the southern States of this Union.

A former committee of the Legislature, in reporting upon a similar application, say, "That the Legislature, in passing a prohibitory act upon this subject, intended, doubtless to guard the public morals; a design which has been entirely frustrated by the frequent practice of *scrub*, which induces the greatest immorality. While the practical effect of the law enforces obedience only from those whose influence and example would correct many of the evils arising from racing as a dissipated amusement."

Believing that a further extension of the principle which has heretofore received the countenance of the Legislature would promote the interests, the pleasures, and the convenience of a large portion of the people of this State, your committee ask leave to introduce a bill in accordance with the prayer of the petitioners.

All which is respectfully submitted.

No. 76.

IN ASSEMBLY,

February 2, 1833.

REPORT

Of the select committee, on the petition of Leonard Hoar and family.

The select committee, to whom was referred the petition of Leonard Hoar and family, praying that they may assume and take the surname of Hobart,

REPORTED:

The petitioners represent, that they are desirous of having their surnames changed to that of Hobart, for reasons, as they allege, that will at once strike the ear of every member of this House.

A certificate accompanies this petition, signed by a number of gentlemen of great respectability, who are personally known to a part of your committee, certifying that they have been acquainted with the petitioner a number of years; that they presume the application is made for no improper purpose, nor to evade any just responsibility; that the petitioner sustains the character of a punctual and upright man in his dealings, and that the whole family, sustain a high character for industry and morality.

The committee are satisfied of the propriety of granting the request of the petitioner, and have directed their chairman to ask leave to introduce a bill.

No. 77.

IN ASSEMBLY,

January 16, 1833.

ANNUAL REPORT

Of Jacob Lockman, Inspector of Lumber for the city and county of New-York.

To the Honorable the Legislature of the State of New-York.

Return of lumber inspected and measured from January 1st, 1832, to the 1st of January, 1833, by Jacob Lockman, one of the inspectors for the city and county of New-York, according to the Revised Statutes of the State of New-York.

JACOB LOCKMAN.

Amount and quality of lumber measured and inspected.

Name of Wood.	Feet.				
	1st quality.	2d quality.	3d qual.	4th qual.	Measured.
White pine plank and bd's.	11,178	23,417	6,743	1,927	
Pine scantling, ...	.....	.....	.....	.....	730
Hemlock scantling, ...	.....	.....	.....	.....	49,396
Pine boards, ...	.....	.....	.....	.....	98,464
Chesnut scantling, ...	16,945				
Cedar boards, ...	411	210			
Oak plank, timber and b'ds.	68,027	68,919			
Whitewood boards, ...	138,150				
Basswood boards, ...	228,143				
Basswood plank, ...	43	304			
Ash oars, ...	6,606	2,632			
Plane maple joist, ...	72,105	55,917			
Plane maple boards, ...	24,425				
Plane maple veniers, ...	1,301				
Ash plank, ...	65,959				
Beach plank, ...	5,171				
Birch plank, ...	2,071				
Ash cot joist, ...	67,315	25,834			
Hickory plank, ...	360	231			
Hickory handspikes, in No.	32	13			
Curl maple plank and b'ds.	29,140				
Oak knees, by the inch, ...	441	4			
White wood plank, ...	2,067	910			
Cherry joist, ...	1,608	1,759			
Cherry plank and boards, .	66,283				
Curl maple joist, ...	1,737	574			
Birdseye maple plank, ...	12,485	1,031			
Birdseye maple veniers, ..	345				
Thin spruce boards, ...	24,742				
	844,693	179,855	6,743	1,927	148,590

Locust timber, 557 cubic feet 8 inch. mercht. 42 cubic feet refuse.

Fees for inspecting, ...	$389 95
Fees for measuring only, ...	37 14
	$427 09

The above respectfully submitted.

JACOB LOCKMAN,

Inspector.

No. 78.

IN ASSEMBLY,

January 18, 1833.

ANNUAL REPORT

Of Van Benthuisen and Rudes, Inspectors of Pot and Pearl Ashes in the city of Albany.

To the Honorable the Legislature of the State of New-York.

The undersigned, inspectors of pot and pearl ashes in the city of Albany,

RESPECTFULLY REPORT:

That from the first day of January, 1832, to first day of January, 1833, they have inspected as follows, to wit:

	881 barrels	pot ashes.
	27 "	pearl ashes.
Weight,	222,502 lbs.	first sort pot ashes.
	74,398 "	second sort pot ashes.
	15,159 "	third sort pot ashes.
	4,604 "	condemned pot ashes.
	7,676 "	pearl ashes.

The fees received for inspecting during the same time, have been three hundred twenty-four dollars and thirty-five cents.

Respectfully submitted.

VAN BENTHUISEN & RUDES.

Albany, 16*th January*, 1833.

No. 80.

IN ASSEMBLY,

February 5, 1833.

REPORT

Of the committee on the militia and the public defence, on so much of the Governor's Message as relates to the militia and the public defence, and a communication from the Governor of Illinois.

Mr. De Mott, from the committee on the militia and the public defence, to whom was referred so much of the Governor's message as relates to the militia and the public defence, and a communication from the Governor of Illinois, submits the following

REPORT:

The Constitution of the United States gives to Congress the power to provide for organizing, arming and disciplining the militia. In pursuance of this grant of authority, an act of Congress was passed on the 8th May, 1792, entitled "An act more effectually to provide for the national defence, by establishing an uniform militia throughout the United States."

Under the provisions of this act, every able bodied free white male citizen, between the ages of eighteen and forty-five years, is required to be enrolled in the militia, and to provide himself with the necessary arms and equipments.

The condition of the country at that epoch in the history of the Union, was such as to render an extensive enrolment indispensable. The federal government had but just gone into operation; our frontiers were exposed to the incursions of numerous Indian tribes; our population was thin and scanty, when compared with the vast surface over which it was spread; and there was cause to apprehend that our dissentions with Great Britain in consequence of the

existence of unsettled questions between the two countries, might be revived. Under the influence of these impending dangers, the militia system was framed and established; and as might have been expected from the state of the country, its leading feature was an extensive enrolment.

Since the law of 1792, no act of Congress has been passed, materially altering its provisions. On the other hand, the state of the country is totally changed. The sources of danger are diminished, and are more remote. The Indian tribes which hung upon our frontiers at the organization of the federal government, have either migrated to more distant regions, or have been subdued by the joint force of civilization and physical power. Our population is comparatively dense and powerful. We have no existing differences with foreign countries which are likely to lead to a breach of our relations of friendship with them.

Under this change of circumstances, a less extensive enrolment would seem adequate to all the objects for which a militia is maintained. While the committee express this, they wish to be understood as advocating no change in the militia system which would have the effect to impair its efficiency. They consider it as intimately connected with the maintenance of our internal tranquillity, and with the preservation of that spirit of freedom on which the durability of our political institutions essentially depends. Every citizen is, from the nature of our social organization, a part of the public defence; and he is also in the last resort, in common with his fellow citizens, the safeguard of the liberties of all, against the government itself. Thus it is that amendments to the Constitution of the United States have provided that "the right of the people to keep and bear arms shall not be infringed." It seems indispensable to the accomplishment of the objects referred to, that every citizens should be armed, and that he should be subjected for a course of years, to a system of exercise and discipline. The system should be limited in its application, to such a period as will be sufficient to qualify those subjected to it for acting in concert and with efficiency on sudden emergencies, until a more permanent force could be provided.

This object may be attained consistently with that of reducing the period of enrolment, and consequently diminishing the numerical force of the militia. For instance, if the enrolment in this

State were to be diminished so as to include only such persons as are between the ages of twenty-one and forty years, our numerical force would be reduced from about 190,000, to about 140,000 men, and yet every citizen would pass through nineteen years of military discipline. As has already been observed, the act of Congress of 1792, requires every citizen duly enrolled to provide his own arms and equipments. This your committee consider wrong in principle and oppressive in practice.

In the price of arms, the rich and the poor are required to pay the same amount. The contribution is a poll tax, having no reference whatever to property. The personal service, which every citizen renders, is of necessity equal as it is not capable of apportionment between individuals; and it may be considered just, because the personal rights of all are equal. But in providing arms and equipments, every citizen renders pecuniary service, and to make the contribution just, it should be apportioned upon the basis of property.

The established system is as unjust in principle, as a rule of taxation which should require every citizen, without regard to his pecuniary ability, to contribute ten dollars, or any other specific sum, to the expenses of government. The injustice of the system is acknowledged by the act of Congress of 23d April, 1808, which provides for arming and equipping the whole body of the militia of the United States, by appropriating annually $200,000 to that object. But although the principle for which the committee contend, is admitted by this act, the provision which it makes is wholly inadequate to the object which it has in view.

The defects in the established militia system, to which the committee have referred, are wholly beyond the reach of the legislative authority of the State. They can only be remedied by an amendment of the act of Congress, of 8th May, 1792, and although that part of the Revised Statutes, which relates to the militia and the public defence is susceptible of some improvement, no alteration can be made in it, which would have the effect of relieving the great body of the militia from any portion of the burden of military service.

The committee have therefore not deemed it advisable to report a bill providing for amending the Revised Statutes, so as to remedy the inconsiderable defects which can be reached by our legisla-

tion; but they would respectfully suggest the adoption of a resolution, instructing our senators, and requesting our representatives in Congress, to use their exertions to procure such amendments of the act of 8th May, 1792, as shall provide for the existing deficiencies in the established organization of the militia, without impairing its usefulness and strength.

In pursuance of these views, they beg leave to submit the following resolutions for the consideration of the Legislature.

Resolved, (if the Senate concur,) That our Senators in Congress, be instructed, and our Representatives be requested to use their exertions to procure such amendments of the act of Congress organizing the militia, as shall relieve the people as far as practicable from the burdens of the system, without impairing its efficiency.

Resolved, (if the Senate concur,) That his Excellency the Governor, be requested to transmit copies of these resolutions to our Senators and Representatives in Congress, and also to the Governors of the several States, with a request that they may be laid before the Legislatures thereof.

No. 81.

IN ASSEMBLY,

January 19, 1833.

ANNUAL REPORT

Of Caleb Smith, an Inspector of Lumber for the city and county of New-York.

To the Honorable the Legislature of the State of New-York, in Senate and Assembly convened:

Caleb Smith, one of the inspectors of lumber in and for the city and county of New-York, begs leave, in conformity to the laws of the State of New-York, to submit herewith his annual report of lumber inspected by him from January 1, 1832, to January 1, 1833, together with the amount of fees received.

885,124	feet	merchantable, at $14 per M.
428,324	"	refuse, at $7 per M.
1,313,448	"	total eastern pine timber.
136,740	feet	merchantable, at $13 per M.
76,581	"	refuse, at $6 50 per M.
213,321	"	total eastern spruce.
22,097	feet	merchantable, at $10 per M.
24,644	"	refuse, at $5 per M.
46,741	"	total hemlock timber.
54,150	feet	clear, at $28 per M.
141,299	"	merchantable, at $14 per M.
91,960	"	seconds, at $10 per M.
143,403	"	refuse, at $7 per M.
430,812	"	total eastern boards and plank.

30,110	feet	merchantable solid, at 25 cts.
6,103	"	seconds, at 12½ cts.
36,213	"	total yellow pine timber.
439	feet	merchantable solid. at 75 cts.
200	"	refuse, at 37½ cts.
659	"	total locust.
71,240	feet	merchantable, at $26 per M.
22,139	"	refuse, at $13 per M.
93,379	"	total ship plank.
140,426	feet,	total boxboards.
52,538	feet	merchantable, at $26 per M.
13,538	"	refuse, at $13 per M.
66,096	"	total oak plank and boards.
8,198	feet	clear, at $28 per M. Albany boards.
9,259	"	merchantable, at $20 per M.
1,780	"	seconds, at $14 per M.
4,024	"	refuse, at $10 per M.
23,261	"	total Albany boards.
46,939	feet	whitewood boards at $18 per M.
24,447	feet	cedar boards, at $22 per M.
13,478	"	" $11 "
37,925	feet	total cedar boards.
71,379	feet	merchantable yellow pine flooring.
37,006	"	refuse.
108,385	"	total yellow pine flooring.
12,480	feet	ash plank, at $25 per M.
12,645	feet	mercht. yellow pine boards, at $12 per M.
10,404	"	refuse, at $6 per M.
23,049	"	total yellow pine boards.
99,104	feet	chesnut joist, at $14 per M.
232,895	cypress	shingles, at $3 50 per M.

Total amount of fees, ... $1,031 16

CALEB SMITH,
Inspector.

No. 82.

IN ASSEMBLY,

February 4, 1833.

REPORT

Of the select committee, to whom was referred the petition of Isaac Gray, William Hatt, and Amasa Dana, relative to a dam across the Tioga river, in the town of Erwin, county of Steuben.

Mr. Kernan, from the select committee to whom was referred the petition of Isaac Gray, William Hatt and Amasa Dana, for an act authorizing them to construct and maintain a dam across the Tioga river, in the town of Erwin in the county of Steuben,

REPORTED:

That the Tioga river is a public highway, and that it is used as such: That the country is new and covered in many places with a heavy growth of pine timber: That the erection of mills of every kind are necessary for the benefit and convenience of the inhabitants: That there are many dams across said river, constructed in such manner as not to injure the navigation thereof.

The committee are of the opinion that the prayer of the petitioners ought to be granted, and ask leave to introduce a bill.

No. 83.

IN ASSEMBLY,

January 18, 1833.

REPORT

Of the committee on the judiciary, on the petition of the board of supervisors of the county of Clinton.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of the board of supervisors of the county of Clinton, praying that the January term of the court of common pleas of the said county may be abolished,

REPORTED:

That they have received no evidence of the wishes of the people of Clinton county upon this subject, in support of the petition of the board of supervisors. Your committee deem that it would be impolitic to grant the prayer of the petition, without further evidence of the propriety of the measure recommended by the board of supervisors. They therefore recommend that the prayer of the petitioners be denied, and that they have leave to withdraw their petition.

No. 84.

IN ASSEMBLY,

January 18, 1833.

MESSAGE

From the Governor, transmitting the Annual Report of the Adjutant-General.

TO THE ASSEMBLY.

GENTLEMEN,

I herewith transmit to you the annual report of the Adjutant-General, together with a letter from him relative to the same.

W. L. MARCY.

January 18, 1833.

STATE OF NEW-YORK,
ADJUTANT GENERAL'S OFFICE.

15th January, 1833.

SIR,

I have the honor to transmit herewith the annual return of the militia of this State.

It will be perceived by comparing it with the return for the year 1831, that the numerical force of the militia has sustained an apparent diminution of 537 men during the year 1832. This apparent difference will, however, be readily explained by the circumstance that many persons liable to military duty were absent from inspection, in consequence of the prevalence of the cholera in many parts of the State about the time of the annual parades, so that the real military force of the State is greater than would appear from the returns. I am well assured that it does not fall short of 190,000 men.

I am, very respectfully,
Your most obedient serv't,
JOHN A. DIX.

His Excellency, WM. L. MARCY,
Commander-in-Chief.

Of the

RMS AN

	Cartridges.	Horses 14½ hands high.
a W	8	
ump	22 ..	245
Duboi	8 90	860
White,	9 ..	310
rnold	..	202
Mathe	16 ..	....
rod,	17 66	384
	54	666
	80	
	10	2667
cularis	12	
	..	387
or Co	9 ..	....
	..	23
	21	
		62

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UNIV. OF MICH.

ANNUAL RETURN

Of companies of Artillery, &c. attached permanently, or for inspection, to the different brigades of Infantry, for the year 1832.

Number of companies.	COMPANY OFFICERS.										PRIVATES.		Total, officers, non-commissioned officers, musicians and privates, present and absent.
	Commissioned.				*Non-Commissioned.*								
					Sergeants		*Corporals*		*Musi'ans.*				
	Captains.	1st Lieutenants.	2d Lieutenants.	Cornets.	Present.	Absent.	Present.	Absent.	Present.	Absent.	Present.	Absent.	
35	31	33	33	5	115	24	109	19	127	15	1201	532	2244

RECAPITULATION.

Horse artillery,	1,694
Cavalry,	7,289
Artillery,	12,120
Infantry, (including light infantry and riflemen,)	165,150
Companies of artillery, &c. attached permanently or for inspection,	2,244
Total,	188,497

Adjutant-General's Office, 31*st December*, 1832.

JOHN A. DIX, *Adj. Gen.*

No. 85.

IN ASSEMBLY,

February 5, 1833.

REPORT

Of the select committee on the petitions of the sheriffs of Oneida and Madison counties, relative to the transportation of convicts.

Mr. Wager, from the select committee to whom were referred the several petitions of Samuel M. Mott, sheriff of Oneida county, and Joseph S. Palmer, sheriff of Madison county, praying compensation for transporting convicts,

REPORTED:

That prior to the first of April last, the Governor of this State, in pursuance of the provisions of sec. 68, title 2, chapter 3, of the fourth part of the Revised Statutes, by his warrant, ordered the sheriffs of Oneida and Madison, (among others) to transport convicts from those counties to the state prison at Mount-Pleasant.

On the 25th of April last, the Legislature passed a law requiring all male convicts in all the senate districts of this State, except the 1st, 2d and 3d, to be confined in the state prison at Auburn, which was a revocation of the order made by the Governor as aforesaid.

On or about the middle of June last, Charles C. Kinney, Urgat Utley and Daniel W. Hallenbeck, were severally convicted at a court of general sessions, held at the court-house in the town of Rome, in and for Oneida county, and sentenced to confinement in the state prison. An order was thereupon made by the said court, requiring the said convicts to be transported to, and confined in the state prison, generally without designating which.

That said sheriff of Oneida, in the discharge of his duty as such sheriff, transported said convicts on the way to the prison at Mount-Pleasant, as far as Poughkeepsie, in the county of Dutchess, where he was for the first time informed that the keeper of the prison at Mount-Pleasant, would not receive convicts from the 5th senate district, in consequence of the said act of the 25th of April last, above referred to. On receiving said information, the said sheriff of Oneida, re-transported said convicts to the county of Oneida, and from thence to the state prison at Auburn, where they were received and confined.

And your committee further report, that at a court of general sessions held at the court-house in Morrisville, Madison county, in the month of June last, Loring L. May and James Murdock were severally convicted, and sentenced to the State Prison at Sing-Sing; that said sheriff of Madison transported said last named convicts, by his deputy, on the way to the prison at Mount-Pleasant, as far as the city of Albany, where the deputy was informed by the Attorney-General of this State, of the existence of the law of the 25th of April last, and that said convicts would not be received at the Sing-Sing prison. Upon receiving such information, said deputy re-transported said last named convicts to Morrisville, in the county of Madison, and the said sheriff of Madison caused them to be taken from thence to the prison at Auburn, where they were received.

Your committee are satisfied that at the time the said petitioners transported said convicts, as above stated, neither the said petitioners or the judges of the said courts, were informed of the existence of the said law of the 25th of April last, and that said sheriffs transported said convicts on the way to Mount-Pleasant, as above stated, in perfect good faith.

The accounts of said sheriffs for transporting said convicts cannot be audited without the production of the certificate of the keeper of the prison, that the convicts are received by him; the petitioners cannot therefore be compensated for transporting said convicts on the way to Mount-Pleasant and back, as above stated, without the interference of the Legislature.

Believing, as your committee do, that the said petitioners have an equitable claim for relief in the premises, they have come to the

conclusion that the prayer of the petitioners ought to be granted, and ask leave to introduce a bill which they have prepared for that purpose.

All which is respectfully submitted.

No. 86.

IN ASSEMBLY,

January 19, 1833.

ANNUAL REPORT

Of Nathan Roberts, an Inspector of Lumber for the city of New-York,

To the Honorable the Legislature of the State of New-York.

Agreeable to the Revised Statutes, chapter 17th, title 2d, articles 6th and 12th, I, as an inspector of lumber, beg leave to present to your Honorable Body, the following return of lumber inspected by me from 1st January, 1832, to 1st January, 1833.

Superficial and cubic feet, pieces and inches, 3 qualities stated, viz:

	Mercht.	Seconds	Refuse		
Ship plank oak, pr M,	192,619	115,279	29,262	$20 00 to	$40 00
Oak plank and boards,	11,648	.....	12,826	15 00	30 00
Ship plank, y. pine,..	23,149	7,477	696	20 00	40 00
Ship plank, w. pine, .	106,612	36,314	.....	26 00	40 00
White pine plk. & bds.	30,653	.....	.....	25 00	
Maple boards, ...	879	.....	.....	30 00	
Ash plank, ...	4,739	3,666	.....	20 00	30 00
Mahogany,.....	1,105	.....	.....	0 25	
Y. pine timber, cubic.	45,093	.....	12,282	0 12	0 30
Oak timber, ...	7,600	.....	1,324	0 12½	0 50
Live oak timber,....	3,881	.....	1,605	0 25	0 87½
Locust timber,.....	1,760	.....	318	0 31	1 00
Cedar timber, ...	470	.....	94	0 18	0 36
Chesnut timber,.....	490	.....	208	0 10	0 20
White pine timber,..	75,020	.....	10,257	0 08	0 18
Locust posts, pieces,.	266	.....	.....	0 25	
Spruce spars,.....	246	.....	29	1 25	7 00
Spruce spars, inches,	7,842	.....	1,001	0 06	0 17
Oak knees, ...	5,368	.....	1,155	0 12½	0 85

Value of the above, at prices current, about $61,000 00

Fees,..... $917 64

NATHAN ROBERTS, *Inspector.*

New-York, 12th January, 1833.

No. 87.

IN ASSEMBLY,

January 19, 1833.

ANNUAL REPORT

Of Robert Dingee, an Inspector of Green Hides and Skins for the city of New-York.

To the Honorable the Legislature of the State of New-York.

Robert Dingee, inspector of green hides and skins, in the city of New-York, appointed under the act of the 20th April, 1830, in pursuance of the 12th section of said act,

RESPECTFULLY REPORTS:

That the number of hides inspected in pursuance of said act, from the 1st day of January, to the 31st day of December, 1832, inclusive, is 39,975 hides.

That the amount of fees received for inspecting the same at 3 cents each, is $1,119.25.

The number of calf skins inspected during the same period, is 25,405. The fees received for the inspection of which, at one cent each, amount to $254.05.

Amount paid to two deputies during the same time, is.	$980 05
The amount paid for contingent expenses during the same period, is	40 25
Aggregate expense,.....	$1,020 30

Leaving the sum of $433.00 as compensation for the time, labor, and responsibility, expended, employed and incurred by the inspector.

That the average value of the hides, as nearly as can be ascertained, has been $4.50, amounting in the aggregate to $179,887 50

And the average value of calf skins about $1.10, amounting in the aggregate to $27,945.50.

All which is respectfully submitted,

ROBERT DINGEE.

1st *January*, 1833.

City and county of New-York, ss.

Robert Dingee, being duly sworn, saith, that the foregoing report, is in all respects just and true, according to his best knowledge as he verily believes; and further saith not.

ROBERT DINGEE,

Sworn to and subscribed before me,
this 12th day of January, 1833.

GIDEON LEE, *Mayor*,

No. 89.

IN ASSEMBLY,

February 6, 1833.

REPORT

Of the Bank Commissioners on the resolution of the Assembly of the 28th March, 1832.

February 5th, 1833.

To the Hon. C. L. LIVINGSTON,
Speaker of the Assembly.

SIR,

We herewith transmit to the honorable the Assembly the inclosed report and accompanying documents, in compliance with the resolution of that body of the 28th day of March, 1832.

With great respect,
Your obedient servants,
CHARLES STEBBINS,
GEORGE R. DAVIS,
LEWIS EATON,
Bank Commissioners of the State of New-York.

REPORT, &c.

To the Honorable the Legislature of the State of New-York.

The Bank Commissioners, pursuant to a resolution of the Assembly, of the 28th March, 1832, by which they were required to "report to the next Legislature the name and place of residence of each stockholder in the several banks in this State which have been incorporated since the first of January, 1829, together with the amount of stock held by each person respectively, on the first day of September, 1831, and the amount held by them on the first day of September, 1832; and whether said stock so held is on their own account or in trust for others, and if in trust, for whom: Also the names and residence of all persons, or the name of any body corporate to whom any stock in either of said banks is hypothecated, and the amount of such hypothecation: also the dividends made by each of said banks during the year, and the surplus profits, if any, as the same shall appear on the books of said banks,"

RESPECTFULLY REPORT:

That the schedules hereto annexed, being a list of stockholders of the banks mentioned in said resolution, with their places of residence, and amount of stock on the first days of September, 1831 and 1832, and a table shewing the amount of dividends for the year ending on the first of September, 1832, and the amount of profits on hand on that day, are supposed to contain the information intended to be sought for by the resolution.

Being authorized to report to the Legislature such abstracts and statements as we may deem useful, we have thought ourselves at liberty to comply with the resolution, notwithstanding the strong language of the 25th section of the bank fund law, which prohibits us from disclosing information obtained in the course of our examinations.

That part of the resolution which seeks information in regard to the hypothecation of stocks, and of stocks held in trust, cannot be answered from any entries appearing upon the books of the banks. No entries are generally made of such transactions, on the books of the institution whose stock is thus hypothecated or held in trust, and the transaction is generally one between individuals, with which the bank has no concern, and not often any knowledge.

The only mode of acquiring full and accurate information upon the subject, would be by an examination of the stockholders themselves, which it would be almost impossible to make; and we have not considered ourselves called upon by the terms of the resolution, or by any apprehension of danger, to make the attempt. But so far as our knowledge of these transactions extends, we know of no instance of the hypothecation of stocks, or of stocks held in trust, except for fair and legitimate purposes, nor any instance of the kind in the slightest degree prejudicial to the standing or character of either of the banks, and the subject is one upon which we have found nothing like attempted concealment on their part.

From information casually acquired, we could mention several instances of stocks pledged to secure temporary loans of money, made for the purpose, generally, of anticipating investments, and several other instances, where individuals engaged in active business, instead of withdrawing capital from their ordinary business to invest in stocks, have procured other capitalists to advance the funds, and hold the stocks in their own names, under a contract to transfer upon payment of the par value and interest. Such we understand to be the case with regard to the stock in the Ithaca Bank, held by Mr. Astor, and there are other instances of the same kind; but we know of no stocks so held in trust under any suspicious circumstances, nor any hypothecations by individuals for any other purpose than that of anticipating their means, or for an amount beyond their ability to pay.

The information we have upon the subject is not sufficiently authentic to form the basis of a report, and is entirely insufficient to enable us to give any thing like a full and perfect statement of the different cases.

And inasmuch as injustice might be done to individuals by misstatements founded upon facts more or less indefinite and uncer-

tain, we have thought it would be improper to attempt a specification.

In some instances, where the banks have gone into operation since the first of September, 1831, and the stock ledgers were not opened until after that time, we have not been able to procure the list of stockholders as it stood on that day, and in those cases have taken it as it was at the time of commencing operations by the bank, or as near that time as practicable. In the case of the Broome County Bank, the original distribution is given, that being the most authentic list near the time required.

The surplus on hand, as shewn in the annexed table, includes all the undivided profits of each bank since the commencement of its operations, and is the accumulation, in some instances, of nearly three years' business. In estimating the real amount of surplus, a deduction ought in most instances to be made for bad and doubtful debts not charged to the account of profit and loss, and probably many debts now estimated safe, may eventually become chargeable to that account. These banks have all gone into operation recently, and have not yet had sufficient time and opportunity to test the solidity of their debts.

It should be remarked also, that the amount of surplus reported includes the discount upon the discounted paper of the banks for the time it had to run after the first of September. The discount is carried to the credit of profit and loss when the note is discounted, but is not in fact earned until the note arrives at maturity. The proper average deduction to be made from the surplus reported on this account, we estimate as equal to two per cent upon capital.

The amount contributed to the bank fund also, is not deducted from the profits, it being considered as property belonging to the bank, until the fund shall become liable for the payment of losses.

CHARLES STEBBINS,
GEORGE R. DAVIS,
LEWIS EATON,
Bank Commissioners of the State of New-York.

DOCUMENTS.

LIST OF STOCKHOLDERS.

MADISON COUNTY BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Alexander B. Johnson, ...	Utica, ...	$5,000	$5,000
Henry B. Gibson,.....	Canandaigua,	2,000	2,000
John Greig, ...	do	3,000	3,000
Erastus Corning, ...	Albany, ...	5,000	5,000
Thomas W. Olcott, ...	do	6,000	6,000
Charles E. Dudley, ...	do	3,000	3,000
William Marvin,.....	do	2,500	2,500
Alexander Marvin,.....	do	2,500	2,500
Sylvanus P. Jermain,.....	do	5,000	5,000
Jacob H. Ten Eyck, ...	do	4,000	4,000
J. H. Ten Eyck, Ex'r,.....	do	3,000	3,500
Lyntie Douw, ...	do	1,000	1,000
John Williams, ...	Cazenovia, ..	4,000	4,000
Jesse Kilborn,.....	do ..	1,500	1,500
William M. Burr,.....	do ..	6,500	6,500
Lemuel White, ...	do ..	1,000	1,000
Eliphalet S. Jackson,.....	do ..	1,750	1,000
Jacob Ten Eyck, ...	do ..	8,500	8,500
Hearsey & Burton,.....	do ..	3,500	3,500
Jackson & Coman, ...	do ..	1,500	1,500
John F. Fairchild, ...	do ..	200	200
Rufus Allen, ...	do ..	2,000	2,000
Lambertus Walters,.....	do ..	3,000	7,000
J. D. Ledyard, ...	do ..	5,000	1,000
Perry G. Childs,.....	do ..	10,050	10,050
Arnold Ballou, ...	Madison co...	1,000	1,000
Bennet Bicknell,.....	do ..	1,000	1,000
Sylvester Beecher,.....	do ..	4,000	4,000
H. & S. French,.....	do ..	1,000	1,000
Rufus H. King & Co.....	Albany,.....	500	
Alexander Duncan, ...	Canandaigua,	2,000	2,000
Eliphalet S. Jackson, Jun.	Cazenovia, ..	.....	500
Rensselaer Jackson, ...	do ..	.....	250
		$100,000	$100,000

BANK OF OSWEGO.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Abraham M. Schermerhorn,	Rochester,	$10,000	
John Greig,	Canandaigua,	5,000	$5,000
Henry B. Gibson,	do	3,200	
Alexander Duncan,	do	3,000	
Thomas Willet,	Oswego,	1,500	1,500
Elisha Carrington,	do	1,500	1,500
Abraham P. Grant,	do	1,500	1,500
Russell Bunn,	do	1,500	1,500
Gideon H. Woodruff,	do	2,100	2,100
Rudolph Bunner,	do	3,000	3,000
Charles S. Phelps,	do	1,250	1,250
Nathan Sage,	do	500	500
Orris Hart,	do	1,000	
Moses P. Hatch,	do	2,000	500
Daniel D. Tompkins,	do	250	250
David P. Brewster,	do	1,200	1,200
Frances Broadhead,	do	500	500
Theophilus S. Morgan,	do	3,500	
John H. Lord,	do	200	200
Edmund Knower,	do	4,300	5,800
Alvin Bronson,	do	7,250	500
Horatio N. Walton,	do	700	700
William Dolloway,	do	2,000	500
Peter D. Hagunin,	do	1,000	500
Jonathan Case,	Oswego co.	750	750
Hiram Hubbel,	do	500	500
George F. Falley,	do	500	500
Avery Skinner,	do	1,000	1,000
Luther S. Conklin,	do	1,000	1,000
Abraham Varick,	Utica,	3,200	3,200
Thomas H. Hubbard,	do	2,000	2,000
Alexander B. Johnson,	do	8,100	3,100
A. G. Dauby,	do	1,000	1,000
Henry Seymour,	do	2,000	
Samuel Beardsley,	do	3,000	3,000
Philip Grandin,	Palmyra,	1,000	1,000
Eli Hutchinson,	Albany co.	8,500	8,500
James Averill, 3d,	Ogdensburgh,	1,500	1,500
David C. Judson,	do	1,500	1,500
Joel Turrell,	Oswego,	500	500
Stephen Warren,	Troy,	6,000	6,000
Alanson Douglass,	do	6,000	6,000
George B. Warren,	do	3,000	3,000
Thaddeus W. Patchin,	do	1,000	1,000
Nathan Warren,	do	4,000	4,000
John Paine,	do	1,000	1,000

BANK OF OSWEGO—(Continued.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Franklin Frisbee,	Albany co.	$500	$500
Jonathan Walton,	Schenectady,	2,000	2,000
John I. Degraff,	do	3,000	3,000
John A. Dix,	Albany,	2,000	2,000
William L. Marcy,	do	2,000	2,000
Mechanics' and Farmers' Bank,	do	8,500	6,500
John Savage,	do	2,000	2,000
Russell Forsyth,	do	5,000	5,000
Greene C. Bronson,	do	2,000	2,000
Benjamin F. Butler,	do	2,000	2,000
William Cook,	do	3,000	3,000
George R. Lewis,	N. London, Ct.	.....	2,500
Charles A. Lewis,	do	.....	5,000
William P. Cleveland,	do	.....	2,000
Sophia Cleveland,	do	.....	500
William P. Cleveland, jr.	do	.....	2,500
Fanny R. Smith,	do	.....	500
Eliza Crump,	do	.....	200
Israel Munson,	Boston,	.....	13,250
George H. McWhorter,	Oswego,	.....	5,000
Richard I. Wells,	New-York,	.....	2,000
Life Ins. & Trust Company,	do	.....	5,000
Erastus Corning,	Albany,	3,000	3,000
		$150,000	$150,000

ONONDAGA COUNTY BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept 1832.
M. D. Burnet,	Syracuse,	$3,100	$3,100
Aaron Burt,	do	3,000	3,000
Baptist Ed. Society,	do	2,500	2,500
Victory Birdseye,	Pompey,	2,000	2,000
B. Beard,	do	1,000	1,000
Otis Bigelow,	Baldwinsville,	3,000	3,000
Joseph Battel,	Connecticut,	9,000	9,000
John Barber,	Orange co.,	1,900	1,900
David Crofoot,	Cortland co.,	1,000	1,000
Perry G. Childs,	Cazenovia,	5,500	5,500
Samuel Clark,	Vermont,	3,000	1,200
D. S. Colvin,	Syracuse,	1,000	1,000
R. S. Corning,	Otisco,	.....	1,500
Daniel Dana,	Syracuse,	1,000	1,000
Henry Davis, Jun.,	do	1,000	1,000
Andrew Dickson,	Homer,	1,000	1,000

ONONDAGA COUNTY BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Benjamin Day,	Mass.	$500	$500
Elizabeth Dwight,	do	500	500
Harvy Edwards,	Fayetteville,	1,000	1,000
Samuel S. Forman,	Syracuse,	1,000	.....
John E. Hinman,	Utica,	2,000	2,000
Johnson Hall,	La Fayette,	1,000	1,000
Herman Jenkins,	Jordan,	1,000	.....
Samuel Kellogg,	Connecticut,	1,500	1,500
Jesse Kilborn,	Cazenovia,	1,000	1,000
Daniel Kellogg,	Skaneateles,	16,500	16,500
Chauncey Keep,	Homer,	1,000	1,000
James R. Lawrence,	Camillus,	1,000	1,000
Charles W. Lynde,	Homer,	2,500	2,500
J. D. Ledyard,	Cazenovia,	2,000	.....
Elam Lynds,	Syracuse,	1,000	1,000
Marvin & Norton,	do	3,500	2,000
Samuel R. Mathews,	Salina,	1,000	.....
Moses S. Marsh,	Syracuse,	3,000	6,000
Hiram Putnam,	do	2,000	2,000
L. H. Redfield,	do	.....	500
Dean Richmond,	Salina,	1,000	1,000
Thomas Richmond,	do	1,000	.....
Stephen Smith,	Syracuse,	3,000	3,000
H. W. Schrœpel,	Volney,	2,500	2,000
Thomas Starr,	Fayetteville,	1,000	1,000
E. Seymour,	Vermont,	3,000	4,800
Henry Seymour,	Utica,	31,000	32,000
Oliver R. Strong,	Onondaga,	1,500	1,500
Jacob Ten Eyck,	Cazenovia,	2,500	2,500
Oliver Teal,	Syracuse,	10,000	10,000
Horace White,	Homer,	1,000	.....
Stephen Warren,	Troy,	6,500	6,500
John Wilkinson,	Syracuse,	2,000	3,000
Lambertus Wotters,	Cazenovia,	2,000	4,000
		$150,000	$150,000

OGDENSBURGH BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
William Bacon,	Ogdensburgh,	$500	$500
E. A. Graham,	do	1,250	1,250
Roger Sargeant,	Hamilton,	250	250
Joshua Tuffs,	Albany,	1,500	1,500
Russel Forsyth,	do	5,000	5,000

OGDENSBURGH BANK—(Continued.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
William Durant,	Albany,	$1,000	$1,000
Ephraim Wilder, jr.,	do	2,000	2,000
Seth Hastings,	do	2,000	2,000
T. & J. Russell,	do	2,500	2,500
S. P. Jermain,	do	5,000	5,000
John Hendrickson,	do	500	500
Ralph Pratt,	do	2,000	2,000
Merchants' Insurance Co.,	do	5,000	5,000
William Marvin,	do	1,500	1,500
Alexander Marvin,	do	1,000	1,000
Moss Kent,	Plattsburgh,	1,000	1,000
Montgomery Hunt,	Utica,	4,000	
Thomas H. Hubbard,	do	4,000	8,000
Horatio Gates & Co.,	Montreal,	2,500	2,500
George Redington,	Waddington,	1,000	1,000
Sylvester Gilbert,	Ogdensburgh,	500	500
George N. Seymour,	do	2,500	2,500
Amos Bacon,	do	2,000	2,000
George Parish,	do	1,000	1,000
James G. Hopkins,	do	300	
Edwin Clark,	do	500	500
Louis Hasbrouck,	do	2,250	2,250
John Fine,	do	2,500	2,500
Samuel Patridge,	Potsdam,	1,000	1,000
Augustus Chapman,	Morristown,	1,000	1,000
James Thompson,	Lisbon,	1,000	1,000
Duncan Turner,	Oswegatchie,	3,450	3,750
James Averill, 3d.,	Ogdensburgh,	26,000	26,000
David C. Judson,	do	5,500	5,500
Thomas Peacock,	Madrid,	500	500
William Cook,	Albany,	5,500	5,500
U. H. Orvis,	Massena,	1,000	1,000
		$100,000	$100,000

MONTGOMERY COUNTY BANK.

NAMES OF STOCKHOLDERS	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Daniel Potter,	Johnstown,	$5,000	$7,000
James W. Miller,	do	6,250	6,250
Daniel Cady,	do	1,000	1,000
Elihu Enos,	do	1,000	1,000
Tobias A. Stoutenburgh,	do	1,250	1,250
William Rood,	do	1,000	1,000
John Holland,	do	500	500

MONTGOMERY COUNTY BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Russel Prentice,	Johnstown,	$500	$500
Abner A. Johnson,	do	1,250	1,000
Jonathan L. Clark,	do	1,250	1,250
Nathan P. Wells,	do	6,650	7,150
Edward Byard,	do	500	500
Joseph Balch,	do	300	300
Mary Balch,	do	200	200
Joseph Farmer,	do	500	500
William I. Dodge,	do	2,750	3,250
Philo Mills,	do	500	500
Isaac Jackson,	do	1,500	
Samuel Jackson,	Florida,	6,000	6,500
Henry P. Voorhees,	Glen,	1,300	1,300
Darius Clark,	do	1,000	1,000
Henry Adams,	Minden,	500	500
Matthias J. Bovee,	Amsterdam,	2,750	
Peter Stewart,	do	400	1,400
William Robb,	do	1,000	1,000
Alexander B. Johnson,	Utica,	13,850	13,850
Henry B. Gibson,	Canandaigua,	10,000	10,000
John Greig,	do	12,000	12,000
Alexander Duncan,	do	5,000	5,000
Samuel A. Gilbert,	Mayfield,	1,000	1,000
David Diefendorf,	Fort-Plain,	400	400
Alonzo C. Paige,	Schenectady,	1,000	1,000
John I. Degraff,	do	2,000	2,000
William Marvin,	Albany,	2,000	2,000
Daniel Conklin,	Renssel'rville,	5,000	5,000
Duncan McMartin, jun.	Broadalbin,	500	
James McIntyre,	Philadelphia,	.....	500
Nathan Brown,	Oppenheim,	500	500
John H. Webb,	Connecticut,	1,900	1,900
		$100,000	$100,000

BROOME COUNTY BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Samuel S. Hill,	Broome,	$25	
Gilbert Tompkins,	do	400	
William Chamberlain,	do	25	
Henry L. Webb,	Albany,	25	
David Wood,	do	25	
Thomas Evans,	Broome,	25	

BROOME COUNTY BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1881.	Amount 1 Sept. 1882.
Stephen Weed,	Broome,	$300	
Simeon Rodgers,		25	
Asa Robinson,	Broome,	1,175	
David C. Wait,	do	25	
James McKinney,	do	50	
Ben Johnson,	Tompkins,	100	
Lewis St. Johns,	Broome,	1,175	$500
Charles E. Hardy,		25	
Alvah Beebee,	Tompkins,	125	
H. T. Bartow,	Albany,	125	
Ephraim Wilder,	do	125	250
Daniel Kimball,	Broome,	1,175	250
Theodorus Van Tine,	New-York,	25	
James W. Browne,		1,175	
Erastus Corning,	Albany,	50	3,675
John I. Bradt,		600	
Greene C. Bronson,	Albany,	25	
John C. Clark,	Chenango,	725	
Frederick I. Peet,		25	
Henry Meloy,		25	
John D. P. Douw,	Albany,	50	
Charlotte Perkins,		25	
William Marvin,	Albany,	1,175	3,000
George Bard,		25	
Thomas Jacobus,	Broome,	550	
Alexander B. Johnson,	Oneida,	1,175	10,375
John Stone,	Broome co.	1,175	
Isaac Leavenworth,	do	275	675
Vincent Whitney,	do	100	
David Chamberlain,	do	25	
Friend Humphrey,	Albany,	1,175	
Virgil Whitney,	Broome,	100	
Elias Hawley,		50	
Samuel Smith,	Broome,	1,175	500
Alfred I. Evans,		25	
F. W. Milkay,		150	
Geo. McCormick,		25	
Samuel Peterson,	Broome,	1,175	
Henry Allard,		25	
Alpheus Newton,		25	
Daniel Nash,	Broome co.	25	
Alexander Marvin,	Albany,	1,175	2,050
William Graves,		25	
John B. Rogers,		75	
John S. Shuler,		1,175	
Samuel Stearns,		1,175	
Jonathan Johnson,		25	

BROOME COUNTY BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Peter Robinson,	Broome,	$1,175	$1,150
Edwin T. Evans,		25	
Lynott Bloodgood,	Saratoga,	1,175	
Mary Ann Douglass,		1,175	
Alvah C. Bush,		1,000	
William Boyd,	Albany co.	1,175	-
Christopher Eldrige,	Broome,	900	25
Wm. M. Vermelye,		1,175	
Oliver Ely,	Broome,	50	
Chester Patterson,	do	225	
John Knower,	Albany,	1,175	
James R. Stafford,		1,175	
Annira Doubleday,	Broome,	325	
Henry Snow,	Chenango,	25	
Bush Bartholomew,	Broome co.	25	
Benjamin Knower,	Albany,	1,175	
Gloudy Hamilton,	Broome co.	25	
Andrew L. King,		25	
Lansing B. Misner,		1,175	
Geo. Vail,	Rensselaer co.	1,175	
John R. Edwards,	Broome co.	25	
Jesse Hinds, jun.	do	1,175	500
Jesse Richards,	do	25	
Cary Murdock,	do	125	4,925
Daniel Evans,	do	1,175	
Jesse Orcutt,	do	1,175	
William Cook,	Albany,	50	
Jesse Richards,	Broome co.	275	
Thomas French,		25	
Isaac M'Conihe,	Rensselaer,	1,175	2,000
Joseph Bartlett,	Broome,	1,175	
Horatio Smead,	do	25	
Nathan Phillips,		25	
Edward C. Delavan,	Albany,	50	
Alanson Douglas,	Rensselaer,	1,175	
Richard Yates,	Albany,	125	
Rufus Richards,		1,175	
Ashael Gilbert jun.		1,175	
Jonas C. Heart,	Rensselaer,	1,175	
John T. Norton,	Albany,	50	
James Brown,		25	
Myron Merrill,	Broome,	1,175	2,775
John Hendrickson,	Albany,	50	
Stephen Warren,	Rensselaer,	50	5,100
R. Shepherd,	Albany,	1,175	1,175
Samuel Pike,	Chenango,	25	
James Hughston,	do	25	

BROOME COUNTY BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Nathaniel Hughston,	Chenango,	$25	
Hezekiah Brown,	do	25	
William Kline,		1,175	
R. Forsyth,	Albany,	25	$10,000
Nathan D. Staunton,		25	
Sanford Dickenson,		25	
Consider Cooners,	Chenango co.	25	
William Peck,		1,175	
Abel Comstock,		25	
Fitch Shepherd,		1,175	
Jeremiah Rogers,	Broome co.	25	
Samuel Gardner,		25	
Isaac Carpenter,		25	
Samuel S. Fowler,	Albany,	1,175	1,175
Samuel P. Bishop,		25	
Ezekiel Folsom,		1,175	
Heman Gray,		25	
Sylvanus P. Jermain,	Albany,	1,175	5,000
Joseph Dimick,		25	
Levi Ray,	Chenango,	25	
Augustus Sherrill,		25	
Charles Humphrey,		25	
I. N. Perkins,		25	
George Field,	Niagara co.	1,175	
D. T. Tillotson,		25	
Robert Dunbar jun.	Albany,	50	
Casparus F. Pruyn,		25	
Andrew D. Lansing,		25	
John Pellett,		25	
William G. Miller,	Chenango,	25	
William Humphrey,		1,175	
Joshua Crosby,		25	
Geo. Clapper,		25	
Hezekiah Stowell,		25	
Nathaniel Cole jun.	Broome co.	25	
Richard L. Torrence,		1,175	
Wm. H. Keeler,	Broome co.	125	
Joel Rathbone,	Albany,	25	
John F. Hubbard,	Chenango,	300	
Cyrus Strong,	do	1,175	20,000
Samuel Dickinson,		25	
David McMaster,		25	
John A. Whitford,		1,175	
Cyrus McMaster,		25	
Ephriam Dalrymple,	Chenango,	25	
Caleb S. Butts,		1,175	
Charles E. Dudley,	Albany,	125	

BROOME COUNTY BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Jedediah Merchant,		$25	
Arad Stowell,	Chenango,	25	
William Watrous,	Broome,	25	
Samuel Johnson, 2d.,	Chenango,	25	
Daniel O. Comstock,		1,175	
Adam Brown,		1,175	
Nathaniel Johnson, 2d.,	Chenango,	25	
Roswell Nuess,		25	
Adna Bridgeman,		25	
Alanson Jermain,	Albany co.,	150	
Henry Mitchell,	Chenango,	100	
Asa Sheldon,	do	25	
Amos Lewis,	do	25	
Lot Clark,	Niagara,	1,175	
Rufus Phillip,		25	
I. S. Miller,	Chenango,	25	
Harley Sargeant,		1,175	
Joseph Bush,	Chenango,	25	
William B. Doubleday,	Broome,	25	
Locy Halstead,		25	
John Clapp,	Chenango,	1,175	$2,000
Justis Wents,	Brcome,	25	
Ezra Congdon,		25	
Joseph Gary,	Rensselaer,	1,175	
Peter Mersereau,	Broome,	25	
Dene Relyea,		25	
Solomon Warner,		25	
Dexter Newell,		25	
Isaac Bush,		25	
Peter Dickinson,	Broome co.,	125	1,000
John R. Edwards,	do	100	
George Munsell,		300	
William Mygatt,	Chenango,	350	
Thomas W. Olcott,	Albany,	1,175	
Jeremiah Campbell,	Broome,	25	
Judson Allen,		25	
Benjamin L. Gibbs,		25	
Henry Newman,	Albany,	1,175	1,175
A. C. Carroll,	Broome,	25	
David Mersereau,		25	
Silas West,		50	
Joel McCollum,	Niagará,	1,175	
Peter Besancon, jr.,	do	1,175	
Thomas T. Hubbard,		25	
Otis P. Granger,		25	
Jared L. Rathbone,	Albany,	50	
Curtis Thorp,	Broome,	25	

BROOME COUNTY BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Asher Torrence,	.....	$1,175	
Sidney T. Robinson,	Broome, ...	25	
Erasmus D. Robinson,	do	25	
Silas C. Herring,	Albany, ...	1,175	
Squire Simpson,	.....	25	
George Park,	Broome, ...	25	
Garrit Y. Lansing,	Albany, ...	50	
Robert Boyd,	do	50	
J. B. Jermain,	do	1,175	
Julius Page,	Broome, ...	125	
Tracy Robinson,	do	125	
Robert Smith,	do	25	
Christian Bevill,	do	25	
Jeremiah Manning,	New-York, ..	25	
John M. Brownson,	Broome, ...	25	
Isaac Stow,	.....	175	
Benj. F. Butler,	Albany, ...	1,175	
Jesse Buel,	.....	1,175	
Warren Smith,	.....	25	
Chas. H. Williams,	Broome, ...	25	
Porter Bellows,	.....	25	
Chas. B. Webb,	Albany, ...	25	
John G. Stower,	Madison, ...	775	$1,020
Rufus H. King,	Albany, ...	50	
Chas. E. Avery,	Broome, ...	600	
S. S. Montague,	.....	25	
Paul B. Orcutt,	.....	25	
Thomas Grundy,	.....	25	
Ira Harris,	Albany, ...	50	
Horatio Evans,	Broome, ...	25	
Joshua Whitney,	do	600	3,375
Thomas G. Waterman,	do	600	
Joshua Whitney, jr.,	do	25	
Joseph H. Bosworth,	do	300	
Washington Whitney,	do	25	
Geo. Whitney,	do	25	
James S. Hawley,	do	525	
Thos Gough,	Albany, ...	1,175	
John T. Doubleday,	Broome, ...	575	
George A. Williams,	.....	25	
Curtis Porter,	.....	25	
Philo Gridley,	Madison, ...	25	
Martin Hawley,	Broome, ...	600	
Henry Walbridge,	.....	1,147	
Benj. B. Nichols,	Broome, ...	125	
William Seymour,	do	350	
Haynes Johnson,	do	125	

BROOME COUNTY BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Thos. Collier,	Broome,	$475	
James Clapp,	Chenango,	1,175	
Rich'd Mather,	Broome,	925	$500
John A. Collier,	do	600	
Nicholas Devereux,	Oneida,	50	
Thomas Jackson,	Broome,	25	
Levi Leonard,	Tompkins,	25	
Lewis F. Starkey,	Broome,	25	
Samuel Beardsley,		1,150	
A. G. Dauby,	Oneida,	1,175	1,000
Leverett Russell,	Broome,	25	
Chas. Summer,		25	
Abner Shepherd,		150	
Henry Rexford,	Broome,	125	
A. C. Bacon,	do	200	
Hamilton Collier,	do	250	
Wm. H. Maynard,	Oneida,	1,175	
Daniel S. Dickenson,	Broome,		500
Ernestine Strong,	Chenango,		1,000
Eliza Strong,	do		1,000
Eli Hutchinson,	Albany co.,		6,175
Jared M. Root,	Broome,		50
Doubleday & Lewis,	do		1,575
Whitney & Case,	do		3,800
		$100,000	$100,000

BANK OF WHITEHALL.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Julian G. Buel,	Whitehall,		$500
Edward Buckley,	Granville,		950
Isaac W. Bishop,	do		1,325
Benjamin Barnet,	Fort Ann,		250
Throop Barney,	Kingsbury,		750
Joel Beaman,	Poultney, Vt.		625
Erastus Corning,	Albany,		5,250
H. B. Chubb,	Troy,		500
J. & S. Corning,	Fort Ann,		150
N. M. Clark,	do		50
Peter Comstock,	do		1,000
J. H. Douglas,	Waterford,		625
Alanson Douglass,	Troy,		9,650
Jehiel Dayton,	Granville,		500

BANK OF WHITEHALL—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Hiram Eddy,	Whitehall,		$375
John Gould,	Essex,		375
Horatio Gates & Co.	Montreal, L.C		1,250
John Harris,	Northumb'l'd,		375
C. F. & J. C. Hammond & Co.	Crownpoint,		875
Hart, Perry & Boardman,	Troy,		750
Sylvanus P. Jermain,	Albany,		4,000
Dennis Jones,	Whitehall,		1,125
Geo. W. Kirkland,	Waterford,		1,000
Rufus H. King,	Albany,		1,250
Rocius R. Kennedy,	Waterford,		2,500
Abm. C. Kellogg,	Troy,		1,000
Kelloggs & Co.	do		1,250
Moss Kent,	Plattsburgh,		375
Gideon Lathrop,	Burlington, Vt		625
P. J. H. Myers,	Whitehall,		4,000
Townsend McCoun,	Troy,		1,250
William A. Moore,	Fort Ann,		2,500
Robt. W. Oliphant,	Granville,		1,000
John Paine,	Troy,		1,250
Thaddeus W. Patchin,	do		500
William H. Parker,	Whitehall,		375
Halsey Rogers,			1,000
William Stevenson,	Cambridge,		2,000
Daniel Stevenson,	Argyle,		1,000
R. D. Silliman,	Troy,		3,000
Richd. W. Sherman,	Vergennes, Vt		625
Ezra Smith,	Whitehall,		500
Thos. A. Sherwood,	Sandy Hill,		575
Washington A. Travis,	Whitehall,		500
H. & G. Vail,	Troy,		1,875
James Van Schoonhoven,	do		6,500
Henry Vail,	do		750
Henry L. Webb,	Albany.		1,250
John Williams,	Salem,		10,375
Stephen Warren,	Troy,		1,750
Melancton Wheeler,	Whitehall,		5,000
Nathan Warren,	Troy,		1,500
John Williams, jr.	Salem,		2,000
Bradley Wright,	Whitehall,		1,000
George B. Warren,	Troy,		8,675
			$100,000

SARATOGA COUNTY BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Miles Beach,	Saratoga Spr.	$3,000	$3,000
Anson Brown,	Ballston Spa,	1,000	1,000
Oliver Brisbin,	Saratoga,	500	500
Russell Burt,	Northumb'l'd,	1,000	1,000
John Bradshaw,	Halfmoon,	500	500
Nathan Bailey,	Waterford,	4,000	4,000
James Brisbin, jun.	Saratoga,	500	
John Cramer,	Waterford,	6,500	7,500
James M. Cook,	Ballston Spa,	1,750	1,750
Samuel Cook,	do	5,000	5,000
Conrade Cramer,	Northumb'l'd,	1,000	1,000
Geo. and Edward Curtis,	New-York,	6,500	6,500
Alanson Douglas,	Troy,	2,500	2,500
Jonathan H. Douglass,	Waterford,	4,625	4,625
Nicholas B. Doe,	do	2,500	2,500
Henry Edson,	do	500	500
Chesselden Ellis,	do	750	750
Ellis & Cramer,	do	500	500
Samuel Freeman,	Ballston Spa,	250	250
Howell Gardner,	Greenfield,	625	625
Isaac Geer,	Galway,	500	500
G. P. Gillespy,	Glen's Falls,	125	125
Harvey Granger,	Saratoga,	1,375	1,375
Wm. Hamilton,	Clifton Park,	500	500
Sherman Hartwell,	Warren, Ct.	1,000	1,000
John Haswell,	Waterford,	1,250	1,250
Charles S. Houghton,	do	500	
Elijah House,	do	500	500
John House,	do	1,250	1,250
D. B. King,	do	500	500
John F. King,	do	500	500
John Knickerbacker,	do	2,500	3,250
N. V. Knickerbacker,	Stillwater,	500	500
Garnsey Kennedy,	Clifton Park,	2,750	2,750
Joshua Mandeville,	Waterford,	1,250	1,250
P. J. H. Myers,	Whitehall,	750	
F. C. Mills,	Penn-Yan,	500	500
Ephraim Newland,	Stillwater,	500	500
Robert W. Oliphant,	Granville,	1,000	1,000
Ruth Oliphant,	Waterford,	500	500
David Oliphant,	Beverly, Mas.	1,000	1,000
Rockwell Putnam,	Saratoga Spr.	500	500
Washington Putnam,	do	500	500
Elijah Porter,	Waterford,	500	500
Augustus A. Peebles,	Lansingburgh	125	125
Jacob T. E. Pruyn,	Schaghticoke,	500	500
Elisha Powell,	Milton,	500	500

SARATOGA COUNTY BANK—(Continued.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Moses Scott,	Waterford,	$1,500	$1,500
Elizabeth Scott,	do	500	500
Thomas Scott,	do	750	750
Harvey B. Scott,	do	250	250
Stephen Smith,	Ballston Spa,	1,000	1,000
David Spencer,	Waterford,	1,000	1,000
John Strachan,	Half-Moon,	4,500	4,500
Coddington W. Swan,	Galway,	500	500
John Stewart,	Waterford,	3,250	3,250
N. D. Sherwood,	do	500	500
Alanson Sumner,	do	500	500
Todd & Scott,	do	500	500
Eli M. Todd,	do	3,500	3,500
Ann Ten Broeck,	Watervliet,	500	500
Henry H. Ten Broeck,	Waterford,	750	750
James Thompson,	Milton,	6,125	6,125
James Taylor,	Waterford,	1,750	1,750
G. P. Tallmadge,	Warren, Ct.	500	500
John Vibbard,	Waterford,	1,250	1,250
Thos. Van Dekar,	do	750	750
Gerrit Van Schoonhoven,	do	1,250	1,250
Wm. B. Van Benthuisen,	Saratoga,	125	125
Ezekiel Whitney,	Waterford,	500	500
Moses Williams,	Ballston Spa,	500	500
Jane Waldron,	Hudson,	500	500
J. & J. R. Westcot,	Saratoga Sp.,	625	625
Samuel Young,	Ballston,	1,250	1,250
		$100,000	$100,000

MERCHANTS' AND MECHANICS' BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Oliver Arnold,	Troy,	$1,250	$1,250
Ann B. Allen,	do	1,000	1,000
David Buel jun.	do	1,750	1,750
John I. Bradt,	do	1,250	1,250
Jacob Bishop,	do	2,500	2,500
Mrs. Mabel Burrett,	do	500	500
Frederick Bradley,	do	1,250	1,250
Nathaniel Bosworth,	Pittstown,	500	500
Nathan Bouton,	Troy,	1,500	1,500
Abigail Coe,	do	700	700
Le Grande Cannon,	do	5,000	5,000

MERCHANTS' AND MECHANICS' BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
J. W. Chichester,	Troy,	$1,250	1,250
Isaac Cushman,	do	1,850	1,850
Gurdon Corning,	do	1,500	1,500
Gershom Cook,	do	1,000	250
Moses Craft,	do	5,000	5,000
John P. Cushman,	do	5,500	5,500
Jonathan Camp,	.....	650	650
I. Daggert,	Troy,	750	750
Stephen W. Dana,	do	3,000	3,000
Alanson Douglass,	do	10,000	8,750
John D. Dickenson,	do	2,000	2,000
Jeremiah Dauchy,	do	.....	650
Henry Edson,	Waterford,	750	750
Isaac B. Fox,	Sandlake,	1,250	1,250
Betsey Foot,	.....	500	500
Mary H. French,	Troy,	1,250	1,250
George Gardner,	do	5,500	5,500
Laban Gardner,	do	4,150	4,000
Gurdon Grant,	do	1,250	1,250
Samuel Gale,	do	100	100
Josiah Godfrey,	Berlin,	1,000	1,000
Mrs. Harriet Gale,	Troy,	1,250	1,250
Ashael Gilbert jun.	do	1,250	1,250
John A. Hall,	do	3,000	3,000
Elizabeth Hillhouse,	do	1,250	1,250
Daniel Hall,	do	2,000	2,000
Jonas C. Heartt,	do	2,500	2,500
Richard P. Hart,	do	5,000	5,000
William Hamilton,	.....	1,000	1,000
M. D. Heartt,	Troy,	1,250	1,250
Rensselaer & Saratoga Ins. co.,	do	2,000	2,000
Rebecca Knickerbacker,	Rensselaer co.	500	500
Stephen Kellogg jun.	Troy,	1,250	1,250
Stephen Kellogg,	do	1,250	1,250
R. R. Kennedy,	do	2,000	2,000
Warren Kellogg,	do	10,000	10,000
Asa Kellogg,	do	5,000	5,000
Alex. C. Kellogg,	do	5,000	7,350
Josiah Keeler,	.....	5,000	5,000
F. B. Leonard,	Troy,	4,100	4,100
Cornelius Lansing,	Lansingburgh	2,000	2,000
A. H. Lincoln,	Vermont,	500	500
Waite Lowrey,	Troy,	5,000	5,000
H. N. Lockwood,	do	2,000	2,000
Mary Leonard,	Lansingburgh	1,000	1,000
Caroline E. Lane,	Troy,	2,500	2,500
Angeline Lane,	do	.....	1,850

MERCHANTS' AND MECHANICS' BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Isaac Merritt,	Troy,	$2,500	$2,600
Sarah Merritt,	do	3,200	3,300
V. & D. Marvin,	do	1,000	1,000
Isaac McConihe,	do	1,500	1,500
James McDaniel,		5,000	5,000
Mary Mabbett,	Troy,	1,000	1,000
William Mowry,	do	4,500	4,500
John T. McCoun,	do	2,550	3,300
Townsend McCoun,	do	1,250	1,250
Joel Mallory,	do		1,250
Sylvester Norton,	do	5,000	3,750
Daniel Nash,	do	2,500	2,500
Jesse Patrick,	do	1,250	1,250
Daniel Pine,	Lansingburgh	500	500
John Paine,	Troy,	3,100	3,100
Job Pierson,	Schaghticoke,	2,000	2,000
Lyman Patchin,	Vermont,	1,250	1,250
B. Pierce & Son,	Troy,	500	500
Elias Pattison,	do	2,500	2,500
Eliza Ann Paine,	do	5,000	5,000
Mrs. Eliza Paine,	do	300	300
Mary A. Porter,	do	500	500
Amatus Robbins,	do	1,250	1,250
Mary Russell,	do	2,000	2,000
Rufus Richards,	do	2,000	2,000
Halsey Rogers,	Saratoga co.	650	650
P. S. Redfield,	Troy,	2,000	2,000
Gilbert Reiley,	do		1,250
Munson Smith,	Schaghticoke,	2,500	2,500
Joseph D. Selden,	Troy,	3,000	3,000
Elisha Shelden,	do	750	750
Daniel Stevenson,	Cambridge,	1,250	1,250
Lorenda Silliman,	Troy,	500	500
Wm. I. Street,		600	600
Sally Tracy,	Troy,	750	750
Julia F. Tracy,	do	750	750
Thomas Tillinghast,	Pittstown,	500	500
John Truesdell,	Troy,	1,000	1,000
Zilpah Taylor,	do	500	500
J. Tracy,	do	5,000	5,000
Benj. Tallmadge,	Connecticut,	5,000	5,000
Trustees St. Paul's church,	Troy,	1,150	1,150
Evert Van Alen,	Greenbush,	1,000	1,000
George Vail,	Troy,	3,000	3,150
H. & G. Vail,	do	11,000	11,000
J. Van Schoonhoven,	do	6,100	4,250
Henry Vail,	do	150	150

MERCHANTS' AND MECHANICS' BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Aaron Vail,	Troy,	$900	$900
Philander Wells,	do	5,000	5,050
John D. Willard,	do	500	500
Walker & Bradt,	do	250	250
James Woods,	Greenbush,	2,500	2,500
Daniel Wight,	Troy,	1,000	1,000
Emma Willard,	do	1,500	1,500
Phebe Warren 2d,	do	5,000	5,000
Lydia Warren 2d,	do	5,000	5,000
Mary Ann Williams,	do	750	750
George Wheelock,	do	1,750	1,750
Stephen Warren,	do	10,000	10,000
Nathan Warren,	do	15,000	15,000
John E. Wool,	Nassau,	2,000	2,000
Martha Wilson,		2,000	2,000
Geo. B. Warren,	Troy,	6,000	6,000
Clarke Wheelock,	do	1,750	1,750
Martha C. Warren,	do	1,500	1,500
James A. Zander,	do	1,500	1,500
E. W. Walbridge,	Lansingburgh		500
H. B. Dauchy,	Troy,	1,600	
Asa Gardener,	do	750	
Rebecca Knickerbacker,	do	500	
John C. Kemble,	do	250	
Daniel Southwick jun.	do	650	
		$300,000	$300,000

LIVINGSTON COUNTY BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Hezekiah D. Mason,	Geneseo,	$500	$500
Horatio Jones,	do	2,500	25,000
William Lyman,	Moscow,	1,250	
Allen Ayrault,	Geneseo,	15,000	15,000
Henry S. Wilkins,	York,	500	500
Owen P. Olmsted,	Geneseo,	500	500
Joseph R. Ramsdell,	York,	300	300
William H. Spencer,	Geneseo,	2,500	2,500
Robert Burns,	Groveland,	500	500
Henry B. Gibson,	Canandaigua,	27,250	30,000
John Greig,	do	27,000	30,000
Alexander Duncan,	do	5,500	4,000
Nathaniel Howell,	do	3,000	

LIVINGSTON COUNTY BANK—(Continued.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept 1832.
Augustus Porter,	Niagara,	$2,000	$2,000
James D. Beemis,	Canandaigua,	2,000	2,000
Eliza G. Ward,	do	500	500
Felix Tracy,	Moscow,	300	300
L. C. Fitch,	Bloomfield,	600	600
Henry A. Wilmerding,	Moscow,	500	500
Eli Hill,	Geneseo,	500	500
James K. Guernsey,	Pittsford,	5,000	5,000
Charles H. Carroll,	Groveland,	1,000	1,000
Joseph Fellows,	Geneva,	500	500
William A. Mills,	Mt. Morris,	300	300
Gardner Arnold,	Springrater,	500	500
		$100,000	$100,000

TANNERS' BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Aaron Andrews,	Catskill,	$1,000	$1,000
Ralph Banker,	Coxsackie,	2,500	2,500
Lot Clark,	Lockport,	8,000	
Lewis Burton,	Catskill,	2,500	
George Bellamy,	Schoharie co.,	1,000	
John L. Bronk,	Coxsackie,	2,500	2,500
Chester Bulkley,	Albany,	1,000	1,000
Hiram Comfort,	Catskill,	1,000	
Amos Cornwall,	do	3,000	3,000
Thomas O'H. Croswell,	do	1,000	1,000
John F. Darrow,	do	3,000	2,000
Orin Day,	do	19,250	26,450
Ira T. Day,	Cairo,	1,250	1,750
Caleb Day,	Catskill,	1,000	950
Day & Tolly,	Cairo,	.....	750
Samuel S. Day,	Catskill,	.....	2,000
Edgar B. Day,	do	.....	2,000
Charles E. Dudley,	Albany,	.....	8,000
James G. Elliott,	Catskill,	2,500	500
George A. Gay,	Saugerties,	1,000	
Henry Goslee,	Lexington,	500	500
Alfred Hand,	Durham,	500	500
George G. Hardenburgh,	Catskill,	1,000	1,000
Lewis Hardenburgh,	Roxbury,	500	500
H. P. Hermance,	Saugerties,	1,000	
Chester Hall, jr.,	Catskill,	500	

TANNERS' BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Peter Hubbell,.....	Coxsackie,...	.....	$1,000
John Hunter,.....	New-York, ..	.....	5,000
Martin Keeler,.....	Kortright,....	$1,000	1,000
Dorrance Kirtland,.....	Coxsackie,...	3,500	2,500
John Kiersted,.....	Saugerties, ..	7,500	4,500
Luke Kiersted,.....	Catskill,.....	250	
John Linnon,.....	Cairo,.....	500	
Francis J. Marvin,.....	Catskill,.....	1,000	
George Marvin,.....	do	.....	500
John T. McKoun,.....	Troy,.....	1 000	1,000
Foster Morss,.....	Windham,....	.....	1,000
Thos. W. Olcott,.....	Albany, ...	2,000	
Burnet Osborn,.....	Windham,....	2,000	
Zaddock Pratt,.....	do ..	2,000	2,000
Samuel L. Penfield,.....	Catskill,.....	1,000	500
James Power,.....	do	7,500	7,000
William Post,.....	Durham, ...	250	
Harmon I. Quackenboss,.....	Hunter, ...	.....	400
Harmon Quackenboss,.....	Schodack, ...	.....	200
Jacob Quackenboss,.....	do ..	.....	500
Abraham Richtmyer,.....	Broome, ...	1,000	1,000
William Salisbury,.....	Catskill,.....	1,000	
William Seamen,.....	do	1,000	1,000
William Tolley,.....	Athens, ...	1,000	500
John Truesdail,.....	Catskill,.....	500	
Sidney Tuttle, ...	Windham,...	2,000	2,000
Abraham Van Vechten,.....	Catskill,.....	2,000	2,000
James Van Schoonhoven,.....	Troy,.....	.....	1,000
Malbone Watson,.....	Catskill,.....	500	500
Henry Whittlesey,.....	do	5,000	5,000
William Wynkoop,.....	do	1,000	1,000
Isaac N. Wyckoff and Hannah Ogden, Ads. of I. Ogden,....	do		1,000
		$100,000	$100,000

CHAUTAUQUE COUNTY BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Benjamin Budlong,.....	Jamestown,..	$500	
Alvin Plumb,.....	do ..	500	
Joseph Wait,.....	do ..	500	
David Bockus,.....	Olean,.....	500	
Henry Baker,.....	Jamestown,..	550	$600

CHAUTAUQUE COUNTY BANK—(Continued.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1881.	Amount 1 Sept. 1882.
Samuel A. Brown,	Jamestown,	$550	$800
Benj. Chamberlain,	Great Valley,	550	
Walter Chester,	Gerry,	650	1,200
Judiah E. Budlong,	Jamestown,	1,050	
Alanson Douglas,	Troy,	3,000	10,000
James Prendergast,	Jamestown,	550	
Thos. A. Osborn,	Mayville,	550	550
J. R. Keeler & Co.	Mina,	550	550
James Hall,	Carroll,	550	550
George T. Camp,	Mayville,	500	
Lansing Wetmore,	do	250	
Benjamin Jones,	Carroll,	400	400
Josiah Hall,	Warren, Pa.	550	
Lathrop S. Parmlee,	do	500	
N. A. Lowry,	Pine Grove,	550	
Thomas Brown,	Hebron, Ct.	700	950
Arad Joy,	Jamestown,	1,000	
David Eason,	Westfield,	600	
Abram Dixon,	do	550	
J. R. Babcock,	do	600	
Aaron Rumsey,	do	550	
Laban Hazeltine,	Jamestown,	500	500
Erastus Corning,	Albany,	5,000	12,700
Daniel Hazeltine,	Jamestown,	500	500
Samuel Budlong,	Westfield,	1,500	
Oliver Lee,	Silver Creek,	4,500	1,350
McWhorter & Kibbe,	Westfield,	550	
Swift & Hyde,	Jamestown,	550	
John Dexter,	Ellicott	500	
Eliphalet L. Tinker,	Portland Har.	500	
N. E. Chusey,	Ellicott,	200	200
Wm. B. Williams,	Rochester,	550	
Isaac Young,	Mayville,	500	
Freeman Holbrook,	Ellicott,	550	
Thos. H. Hubbard,	Utica,	4,100	5,000
James O. Morse,	Cher. Valley,	1,250	1,250
William Walker,	Jamestown,	550	
Robert Falconer,	Warren, Pa.	550	550
Thos. W. Olcott,	Albany,	13,500	3,500
Jehiel Tiffany,	Jamestown,	500	
Richard P. Marvin,	do	750	500
Samuel Foote, jr.	Ellicott,	550	
John M. Barber,	Gerry,	550	
Lot Clark,	Lockport,	6,850	7,700
Levi Beardsley,	Cher. Valley,	6,300	6,300
John G. Saxton,	Fredonia,	2,050	2,000
William Peacock,	Mayville,	950	

CHAUTAUQUE COUNTY BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Thomas B. Campbell, ...	Westfield, ...	$950	$500
Leverett Baker, ...	Fredonia, ...	2,000	4,000
Samuel Barrett, ...	Jamestown, ..	500	2,000
Abner Hazeltine, ...	do ..	500	500
E. T. Foote, ...	do ..	11,400	15,000
Vine Elderkin, ...	Harmony, ...	550	
Baldwin, Rockwell & Co.	Westfield, ...	550	
Ephraim Wilder, jr.	Albany, ...	600	600
Henry W. Delavan, ...	Ballston, ...	5,000	5,000
Alexander Marvin, ...	Albany, ...	.....	2,000
Nancy Elderkin, ...	Harmony, ...	.....	1,050
Rufus H. King, ...	Albany, ...	.....	1,100
Aaron D. Patchin, ...	Jamestown, ..	.....	3,600
Russell Forsyth, ...	Albany, ...	.....	5,000
Theodore Olcott, ...	do	.....	2,000
Nathan Dayton, ...	Lockport, ...	3,150	
George Field, ...	do ..	3,150	
		$100,000	$100,000

BANK OF POUGHKEEPSIE.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
John Lockwood, ...	Poughkeepsie	$3,500	$3,500
Estate of Richard Draper, ...	do	1,750	1,750
James Stanton, ...	do	350	350
Nehemiah Sweet, ...	do	2,000	2,000
John Ketcham, ...	do	250	250
Matthew Vassar, ...	do	6,250	6,250
William Davies, ...	do	12,800	12,800
William Taber, ...	Pawling, ...	1,000	1,000
George P. Taber, ...	do	500	500
Warren Skinner, ...	Poughkeepsie	250	250
Ann R. Ketcham, ...	do	750	750
Abraham D. Soper, ...	Milton, ...	500	500
Richard Puduey, ...	Poughkeepsie	2,500	2,500
Morris Smith, ...	Hyde-Park, ..	500	500
John Howell, ...	New-Paltz, ..	500	500
William B. Platt, ...	Rhinebeck, ..	1,000	1,000
John C. Ostrom, ...	do ..	1,000	1,000
William Schell, ...	do ..	1,000	1,000
Henry J. Traver, ...	Poughkeepsie	500	500
Beriah Swift, ...	Washington, .	500	500

BANK OF POUGHKEEPSIE—(CONTINUED.)

NAMES OF STOCKHOLDERS	Residence.	Amount 1 Sept. 1881.	Amount 1 Sept. 1882.
Jedediah Sherman,	Stanford,	$500	$500
William W. White,	Poughkeepsie,	700	700
Reynolds & Junis,	do	3,500	3,000
Josiah H. Quinby,	Washington,	500	500
Alexander J. Coffin,	Poughkeepsie	1,000	1,000
Peter P. Hayes,	do	1,000	1,000
William A. Davies,	do	1,500	1,500
James Tallmadge,	New-York,	5,000	5,000
Thos. L. Davies & Jas. Hooker, trustees for Louisa Wheaton,	Poughkeepsie	2,500	2,500
Miss Phebe Smith,	do	2,500	2,500
Harriet L. Smith,	Washington,	1,000	1,000
Ann M'Donald,	do	1,000	1,000
Isaac E. Haviland,	Westbury,	2,000	2,000
Elizabeth Haight,	Washington,	100	100
Estate of Zephaniah Platt,	La Grange,	500	500
Sarah Livingston,	Hyde-Park,	1,000	1,000
Henry Conklin,	Poughkeepsie	300	300
Charles H. Ruggles,	do	1,000	1,000
William Turner,	do	250	250
Morgan Carpenter,	North-East,	2,500	2,500
Nathan Conklin,	Poughkeepsie	3,500	4,500
Edmond Reynolds,	Stanford,	500	500
Thomas L. Davies,	Poughkeepsie	5,000	5,000
Thomas Taber,	Dover,	2,000	2,000
James Thomson,	Rhinebeck,	1,000	1,000
Albro Akin,	Pawling,	1,500	1,500
Nathaniel P. Tallmadge,	Poughkeepsie	5,000	5,000
James Hooker,	do	5,000	5,000
Alkert I. Akin,	Pawling,	500	500
Daniel D. Akin,	do	500	500
Abraham Bockee,	North-East,	1,000	1,000
Peter Remsen,	New-York,	2,250	2,250
Thomas J. Oakley,	do	3,000	3,000
Alexander H. Barnes,	Poughkeepsie	100	100
William Leslie,	Pleas't-Val'y,	100	100
Robert Bent,	do	300	300
Howland R. Sherman,	Poughkeepsie	.....	500
William H. Falls,	New-York,	1,000	.....
George P. Oakley,	Poughkeepsie	1,000	1,000
Obadiah Titus,	Washington,	1,000	1,000
		$100,000	$100,000

ULSTER COUNTY BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Jacob Burhans,	Ulster co.	$1,000	1,000
Ann Bevier,	do	500	500
Elizabeth Bevier,	do	500	500
Louis D. Bevier,	do	500	500
Severyn Bruyn,	do	2,250	2,250
Benj. F. Butler,	Albany,	.....	2,000
Seth W. Beardsley,	Onondaga,	.....	2,000
James Cockburn,	Ulster co.	1,000	1,000
Peter Crispell jun.	do	500	500
Wm. Cockburn,	do	2,000	2,000
Jerh. Chichester,	do	5,750	5,750
Erastus Corning.	Albany,	.....	4,000
Edwin Croswell,	do	.....	3,000
Jacob H. De Witt,	Ulster co.	750	750
Thomas De Witt,	do	500	500
Noah Dimmick,	Delaware co.	1,000	1,000
Alanson Douglas,	Troy,	250	250
Caleb Dill,	Ulster co.	250	250
Nelly De Waal,	do	.....	200
John I. De Graff,	Schenectady,	.....	2,500
Mathusalem Elting,	Ulster co.	.....	500
Rebekah Elting,	do	500	500
Gilbert O. Fowler,	Orange co.	3,000	3,000
M. V. B. Fowler, (minor,)	do	750	750
J. V. B. Fowler, (minor,)	do	750	750
Ezra Fitch,	Ulster co.	500	500
Meeker Gorham,	do	200	200
Jonathan Hasbrouck,	do	1,500	1,500
Henry C. Hasbrouck,	do	1,000	1,000
Eliza Ann Hendricks,	do	500	500
Joseph Hasbrouck jun.	do	2,000	2,000
Levi Hasbrouck,	do	5,500	6,000
Daniel Hall,	Troy,	2,500	2,500
A. Bruyn Hasbrouck,	Ulster co.	2,500	3,000
James Hardenburgh,	do	.....	500
Thomas Hillhouse,	Albany,	.....	2,000
Benj. Harcourt,	Ulster co.	.....	500
John H. Jansen,	do	500	500
Egbert Jansen,	do	500	500
Thomas T. Jansen,	do	1,000	1,000
Joseph Jansen,	do	500	500
S. P. Jermain,	Albany,	.....	2,400
Rufus H. King,	do	2,500	3,850
Wm. Kerr,	Ulster co.	500	500
John Kiersted,	do	2,500	2,500
Garret Kip,	Dutchess co.	1,500	1,500
Abm. P. Lefevre,	Ulster co.	1,000	1,000

ULSTER COUNTY BANK—(Continued.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Andrus P. Lefevre,	Ulster co.	$500	$500
James O. Linduman,	do	500	500
Solomon Lefevre,	do	500	500
Alexander Marvin,	Albany,	.....	2,000
Edward O'Neil,	Ulster co.	1,500	1,500
Elisha Ostrander,	do	500	500
Jonathan D. Ostrander,	do	1,000	1,500
John C. Ostrom,	Dutchess co.	1,000	1,000
Theodore Olcott,	Albany,	.....	3,000
Charles H. Ruggles,	Dutchess co.	1,000	1,000
Peter G. Sharp,	Ulster co.	1,500	2,000
George H. Sharp, (minor,)	do	1,000	1,000
Theron Skeel,	do	1,000	1,000
Jacob L. Snyder,	do	1,000	1,000
Henry H. Schoonmaker,	do	500	500
Joseph S. Smith,	do	1,500	1,500
John Sudam,	do	21,200	300
Mary R. C. Sudam,	do	500	500
Helen Sharp,	do	750	750
Abraham D. Soper,	do	500	500
Ann J. Suitermeister,	do	.....	450
Mary Thorp,	do	250	250
Mary Tilson,	do	100	100
Matthew Ten Eyck,	do	500	500
Francis C. Voorhees,	do	500	500
John Van Buren,	do	500	500
Abm. G. Van Keuren,	do	500	500
James Van Schoonhoven,	Troy,	1,250	1,250
James Vanderpoel,	Albany,	.....	3,000
John W. Wygant,	Ulster co.,	500	500
Beuben H. Walworth,	Albany,	.....	1,000
Edmund Bruyn,	Ulster co.,	1,000	
Benj. Harcourt,	do	500	
Andrew Hill,	do	500	
Jacobus Hardenburgh,	do	500	
Jeremiah Russell,	do	500	
Jacob Snyder,	do	500	
Simon Alsdorf,	do	500	
John C. Broadhead,	do	500	
Jehoiakim Bergh,	Dutchess,	1,000	
John Chipp,	Ulster co.,	500	
Edward Clarke,	do	1,000	
Abraham A. Deyo,	do	500	
Mathusalem Elting,	do	500	
George G. Graham,	do	500	
Isaac S. Hasbrouck,	do	1,000	

ULSTER COUNTY BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Jacob Trumpbour,	Ulster,	$1,000	
William Woodworth,	do	1,000	
		$100,000	$100,000

HUDSON RIVER BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Saml. Anable,	Hudson,	$1,000	$2,000
Moses Allen,	New-York,	2,000	2,000
Edwin H. Allen,	Hudson,	.....	200
Mary Adams,	do	.....	500
Joseph Battell,	Norfolk, Ct.	5,000	5,000
Benjamin F. Butler,	Albany,	1,000	1,000
Robert A. Barnard,	Hudson,	1,500	2,250
Campbell Bushnell,	do	.....	1,000
Jeremiah Bame,	do	.....	4,000
Seneca Butts,	do	1,000	2,000
William Barthrop,	Kinderhook,	1,000	1,000
John P. Beekman,	do	.....	500
Samuel Bryan,	Hudson,	500	500
Henry W. Bessac,	do	.....	500
William H. Coleman,	do	1,550	2,250
William Currie,	New-York,	6,000	7,000
David Collins,	Hillsdale,	1,000	1,000
Cyrus Curtiss,	Hudson,	1,000	1,000
Erastus Corning,	Albany,	4,000	4,500
Phœbe Coleman,	Ghent,	500	500
Levi A. Coffin,	Hudson,	200	500
Amos Carpenter,	do	.....	500
Jacob Carpenter,	do	.....	500
Alexander Coffin,	do	.....	500
Henry Du Bois,	Livingston,	.....	750
John W. Edmonds,	Hudson,	.....	4,000
Francis W. Edmonds,	do	1,000	1,500
Samuel Gifford,	do	300	300
John Gaul, jr.	do	.....	500
Abner Hammond,	do	5,500	1,100
Levi Hubbell,	do	100	200
Lucas Hoes,	Kinderhook,	1,000	1,000
Maria Hoffman,	Hudson,	.....	500
Wm. Hallenbeck,	do	.....	500
Elisha Jenkins,	do	600	600
Ambrose L. Jordan,	do	1,250	1,250

HUDSON RIVER BANK—(Continued.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Sylvanus P. Jermain,	Albany,	.....	$1,500
Michael O'Kief,	Stuyvesant,	.....	500
Thomas W. Olcott,	Albany,	.....	1,000
Marcus Lane,	Hudson,	$1,000	1,000
Edward P. Livingston,	Clermont,	5,000	7,500
Carroll Livingston,	Livingston,	1,000	1,750
Anson Livingston,	do	1,000	1,000
John J. Miller,	Claverack,	1,000	1,750
James Miller,	Hudson,	6,750	7,650
J. & B. Marshall,	do	5,000	5,500
Robert McKinstry,	do	.....	500
Mesick & Dean,	do	.....	1,000
Isaac McCagg,	do	.....	250
Seth G. Macy,	do	.....	1,000
Henry C. Miller,	do	.....	1,500
Frederick Mesick,	do	.....	600
Stephen Miller,	Claverack,	.....	1,000
Wm. Nash,	Hudson,	1,000	1,250
Israel Platt,	do	1,000	1,250
Laban Paddock,	do	5,400	6,000
Wm. Poultney,	do	500	750
Isaac Power,	do	250	250
C. A. Patterson,	Livingston,	.....	1,000
Samuel Plumb,	Hudson,	.....	1,500
John Power,	do	.....	1,500
Darius Peck,	do	.....	250
Rufus Reed,	do	5,000	5,750
Timothy Reed.	Austerlitz,	1,000	1,250
Ebenezer Reed,	do	500	1,000
Silas Sprague,	Hudson,	.....	900
Hezekiah Steel,	do	300	550
Richard Storm,	Claverack,	1,000	1,250
George E. Seymour,	Hudson,	250	250
Stephen Shipman,	Kinderhook,	1,000	1,000
Coenrad Smith,	Ghent,	500	500
Stephen Storm,	Claverack,	.....	750
Jonathan Stott,	Hudson,	.....	500
Henry Smith,	do	.....	500
Storm Truesdell,	Ghent,	100	100
Leonard W. Ten Broeck,	Clermont,	.....	750
Conklin Terry,	Hudson,	.....	1,350
Abraham A. Van Buren,	do	1,000	1,750
Lucas J. Van Alen,	.....	.....	250
James Vanderpoel,	Albany,	6,250	7,750
Adam Van De Boe,	Claverack,	1,000	1,000
John Van Dueben,	Livingston,	1,000	1,750
Isaac Van Alstyne,	Stuyvesant,	1,000	1,000

HUDSON RIVER BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Lawrence Van Buren,	Kinderhook,	$1,000	$1,000
Aaron Vanderpoel,	do	1,000	2,000
Nathan Wild,	do	.....	500
Oliver Wiswall,	Hudson,	5,650	7,950
James Wild,	do	.....	1,000
Solomon Wescott,	do	2,000	3,000
Wms. & Wilson,	Clermont,	.....	1,000
Charles Whiting,	Kinderhook,	.....	500
Jane and Charlotte Waldron,	Hudson,	.....	500
Polly Younglove,	do	1,000	1,000
		$100,000	$150,000

BANK OF BUFFALO.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Stephen G. Austin,	Buffalo,	$10,090	$10,000
M. A. Andrews,	do	2,000	2,000
Geo. Burt,	do	1,000	500
Lynott Bloodgood,	Albany,	7,550	3,800
Hermanus Bleecker,	do	2,000	2,000
Greene C. Bronson,	do	3,000	3,000
S. De Witt Bloodgood,	do	.....	3,750
Geo. Bliss, *trustee*,	Springfield,	.....	2,000
Geo. Bancroft,	Northampton,	.....	5,000
Bank of Geneva,	Geneva,	.....	10,000
Pierre A. Barker,	Buffalo,	6,000	.....
Jacob A. Barker,	do	500	.....
Wm. Cook,	Albany,	2,000	2,000
E. Corning,	do	6,250	6,250
Wm. P. Cleaveland,	Norwich, Ct.	.....	2,500
Canal Bank,	Albany,	.....	5,000
Henry Dwight,	Geneva,	35,000	24,000
John A. Dix,	Albany,	1,000	1,000
Chas. E. Dudley,	do	10,000	10,000
Robert Dunlop,	.....	3,000	5,000
Jno. I. De Graff,	.....	2,000	8,500
Wm. Durant,	.....	.....	4,200
Heman Day,	.....	.....	500
Benj. Day,	.....	.....	9,000
Henry Day,	.....	.....	900
David E. Evans,	Batavia,	5,000	.....
Russel Forsyth,	Albany,	10,000	10,000
Guy H. Goodrich,	Buffalo,	10,000	10,000

BANK OF BUFFALO—(Continued.)

NAMES OF STOCKHOLDERS.	Residence	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Thos. Hillhouse,	Watervliet,	$3,000	$6,000
Henry Hamilton,	Buffalo,	1,000	
Israel T. Hatch,	do	6,200	
R. H. Heywood,	Buffalo,	2,000	
S. P. Jermain,	Albany,	2,000	5,000
J. B. Jervis,	do	.....	1,000
William Ketchum,	Buffalo,	1,000	1,000
Alfred Lee,	Norwich, Ct.,	.....	2,000
E. Thomas & Alfred Lee,	do	.....	5,000
Alex. Marvin,	.....	2,000	2,000
Hiram Pratt,	Buffalo,	33,000	18,000
A. C. Paige,	.....	1,000	1,000
Aug. Porter,	.....	5,000	5,000
James Porter,	Albany,	5,000	
B. Rathbun,	Buffalo,	10,000	
Wm. Ruxton,	do	1,000	1,000
Henry Root,	do	1,000	1,000
H. Shumway,	do	1,000	1,000
J. S. Smith,	do	2,000	
N. P. Sprague,	do	1,000	1,000
Stocking & Dart,	do	2,000	1,000
E. Walden,	do	4,000	4,000
G. B. Webster,	do	500	500
Thaddeus Weed,	do	.....	500
D. A. White,	.....	.....	3,000
		$200,000	$200,000

WAYNE COUNTY BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
W. M. Bayard,	Palmyra,	$700	$500
Pliny Sexton,	do	7,175	7,175
Ovid Lovell,	do	.....	1,500
Abner F. Lakey,	do	1,500	1,700
N. H. Beckwith,	do	600	600
Abraham Spear,	Macedon,	2,500	2,750
Ebenezer Hale,	Canandaigua,	1,250	1,250
George Beckwith,	Palmyra,	3,500	3,500
A. C. Stevens,	.....	2,000	2,000
N. B. Burchard,	Ontario co.,	250	250
J. S. Fenton,	Palmyra,	17,500	18,900
John Clapp,	Norwich,	500	
W. M. Fenton,	do	500	

WAYNE COUNTY BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Robert W. Smith,	Palmyra,	$500	
Albert Jessup,	do	500	
Giles S. Ely,	do	500	$500
Thomas W. Gurney,	do	500	
John Colvin,	Macedon,	1,250	1,250
Meech, Jackson & Co.,	Albany,	1,000	1,000
Thomas Rogers, 2d.,	Palmyra,	3,300	4,300
Philip Grandin,	do	500	1,000
George Crane,	Macedon,	500	500
Payne K. Leech,	Ontario co.,	1,000	1,000
Eliza Hallett,		125	125
William Wilcox,	Palmyra,	1,000	1,000
Festus A. Goldsmith,		50	50
Luman Harrison,		1,000	1,000
Jonathan Boynton,	Walworth,	1,000	1,000
Loring Fenton,	Chenango co.,	500	
Ebenezer Stone,		2,000	
Nathan Parshall,	Wayne co.,	650	650
Henry L. Webb,	Albany,	2,000	2,000
Alfred E. Campbell,	Ithaca,	150	150
Theron R. Strong,	Palmyra,	500	500
Russel Forsyth,	Albany,	5,000	5,000
S. P. Jermain,	do	5,000	5,000
Joseph Moss,	New-Berlin,	5,000	5,000
Green C. Bronson,	Albany,	1,000	2,500
Alexander Marvin,	do	2,000	2,000
Thomas W. Olcott,	do	25,000	5,350
Hiram K. Jerome,	Palmyra,	500	500
Lot Clark,	Lockport,		1,700
Alanson Douglas,	Troy,		10,800
Jonathan Starr, jr.,			4,000
Theodore Olcott,	Albany,		2,000
		$100,000	$100,000

OTSEGO COUNTY BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
James Markham, jr.,	Otsego co.,	$500	$500
James Markham,	do	500	500
Henry Rogers,	do	500	500
John Bell, 2d.,	do	1,000	1,000
Wm. Dean,	do	1,000	1,000
James Averill,	do	2,500	

OTSEGO COUNTY BANK—(Continued.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept 1832.
Thomas Fuller,	Otsego co.,	$5,000	$5,000
Joseph Moss,	Chenango co,	5,800	5,800
Leonard Caryl,	Otsego co.,	1,500	1,500
Robert Campbell,	do	8,200	8,200
Wm. H. Averill,	do	5,800	5,800
Sam'l Starkweather,	do	8,000	8,000
James Stear,	do	600	600
Calvin Graves,	do	3,200	3,200
May Palmer,	do	300	300
John F. Ernst,	do	1,000	1,000
Henry Scott,	do	1,500	1,500
Henry Phinney,	do	1,500	1,500
George B. Warren,	Troy,	1,200	1,200
Elihu Phinney,	Otsego co.,	1,500	1,500
Esek Bradford,	do	500	500
Laurence McNamee,	do	1,500	1,500
Martha Wilson,	do	500	500
John Russell,	do	1,000	1,000
Sam'l S. Crafts,	do	500	500
Hervey Luce,	do	500	500
Sam'l M. Ingals,	do	1,000	1,000
Gurdon Turner,	do	1,500	1,500
John R. Worthington,	do	1,000	1,000
S. P. Jermain,	Albany,	500	500
Joseph White,	Otsego co.,	3,000	3,000
R. Dunlap,	do	750	750
C. Van Buren,	do	100	100
James Boyd,	do	1,000	1,500
Chany Strong,	do	500	500
Wm. Campbell,	do	1,000	1,000
Levi Wood,	do	250	250
Joshua Starr,	do	300	300
John Cortull,	do	925	925
Wm. Temple,	do	500	500
Rob't Ormston,	do	500	500
Daniel Johnson,	do	500	
David Johnson, jr.,	do	500	500
Barbara Johnson,	do	125	125
Henry Hopkins,	do	250	250
David Johnson,	do	400	400
Sam'l J. Dunbar,	do	500	500
Sam'l Russell,	do	1,000	1,000
May M. Fuller,	do	1,000	1,000
David Little,	do	5,000	5,000
Alfred Crafts,	do	1,000	1,000
O. Beardsley,	do	500	500
S. West,	do	500	500

OTSEGO COUNTY BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Ann Williams,	Otsego co.	$500	$500
John Russell,	do	3,000	3,000
Wm. Comstock,	do	2,000	2,000
Wm. L. Candee,	do	500	500
Charles Smith,	do	1,500	1,500
Wm. Comstock jun.	do	500	500
Alex. Marvin,	Albany,	1,000	1,000
S. Holden,	Otsego co.	500	500
Oliver Judd,	do	500	500
Greene C. Bronson,	Albany,	3,500	3,500
Emma Fuller,	Otsego co.	500	500
E. C. Morehouse,	do	500	500
S. A. Beebee,	Watertown,	500	500
David H. Little,	Otsego co.	3,300	3,300
Jacob Livingston,	do	1,000	1,000
Levantin Livingston,	do	1,000	1,000
Lewis Averill,	Montgomery,	.....	2,500
		$100,000	$100,000

LOCKPORT BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Lot Clark,	Lockport,	$16,200	$16,700
M. H. Tucker,	do	500	500
Benjamin Knower,	Albany,	2,575	2,575
Theodorus Van Tine,	New-York,	1,000	1,000
Wm. L. Marcy,	Albany,	1,000	1,000
Charles E. Dudley,	do	2,500	.....
S. P. Jermain,	do	5,000	5,000
Wm. Marvin,	do	2,500	2,500
Thos. & Jos. Russell,	do	2,500	2,500
Russel Forsyth,	do	5,000	5,000
H. I. Wyckoff,	New-York,	3,000	3,000
H. W. Delavan,	Ballston,	7,500	8,000
J. I. De Graff,	Schenectady,	5,000	5,000
Ephriam Wilder jun.	Albany,	2,000	2,000
Wm, Cook,	do	2,500	2,500
A. McDonald,	Kempville,	625	625
George Field,	Lockport,	10,000	1,000
Lewis Eaton,	do	500	.....
Hiram Walbridge,	do	500	500
Henry Walbridge,	do	500	500
J. McCollum,	do	550	550

LOCKPORT BANK—(Continued.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Saml. De Veaux,	Niagara Falls	.....	$4,000
Samuel Young,	Ballston,	$5,000	5,000
D. O. Comstock,	Lockport,	700	700
Ell Hutchinson,	Renssel'rville,	2,500	2,500
Samuel Beardsley,	Utica,	1,000	1,000
G. C. Bronson,	Albany,	3,000	4,000
Daniel Conklin,	do	2,500	2,500
Thomas Hillhouse,	do	2,500	2,500
Wm. Durant,	do	1,250	1,250
Israel Tuffts,	do	1,250	1,250
James Wadsworth,	Geneseo,	5,050	5,050
F. A. Cobb,	Boston,	2,000	2,000
Nathan Dayton,	Lockport,	500	500
Jesse P. Haines,	do	800	800
W. O. Brown,	do	500	
J. B. Jervis,	Schenectady,	.....	1,000
Israel T. Hatch,	Buffalo,	.....	500
Merchants' Insurance co.,	Albany,	.....	5,000
		$100,000	$100,000

BANK OF GENESEE.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
George W. Lay,	Batavia,	$3,000	$3,080
Phinehas L. Tracy,	do	5,000	5,000
Joseph Fellows,	Geneva,	3,000	3,000
Wm. W. Watson,	do	1,000	1,000
Wm. W. McKay,	Bath,	1,000	1,000
Roswell S. Burrows,	Albion,	1,400	1,400
Alva Smith,	Batavia,	1,000	1,000
John Foot,	do	1,500	1,500
James C. Jervis,	Middlebury,	500	500
Jacob Shell,	Batavia,	100	100
Jona. Lay,	do	500	500
Oliver Benton,	Barre,	1,500	1,500
James Wadsworth,	Geneseo,	10,000	10,000
Gaius B. Rich,	Attica,	2,500	2,500
Thomas Otis,	New-York,	8,000	8,000
Israel Rathbone,	Le Roy,	1,000	1,000
Trumbull Cary,	Batavia,	5,700	8,100
Walter Cary,	do	100	100
Harriet Lee,	Connecticut,	400	400
Thomas Brown,	Massachus'tts	120	120

BANK OF GENESEE—(CONTINUED:)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
John I. Lay,	Batavia,	$20	$20
Geo. W. Lay jun.	do	20	20
Albert Tracy Lay,	do	20	20
Charles E. Dudley,	Albany,	2,000	2,000
David E. Evans,	Batavia,	400	8,700
Francis Bloodgood,	Albany,	2,500	2,500
Erastus Corning,	do	9,700	9,700
Rufus H. King,	do	2,500	2,500
John N. Quackenbush,	do	2,000	2,000
Robert Boyd,	do	1,200	1,200
John D. P. Donw,	do	2,500	2,500
John Taylor Cooper,	do	2,000	2,000
Jared L. Rathbone,	do	2,500	2,500
Elizabeth Scott,	do	1,300	1,300
Maria Brinckerhoff,	do	3,000	3,000
Herman Le Roy,	New-York,	2,000	2,000
Martha Evans,	Baltimore,	500	500
Robt. Bayard, Trustee,	Le Roy,	1,000	1,000
Benedict Brooks,	Middlebury,	500	500
Rachel Loomis,	Batavia,	1,000	1,000
Horatio Stevens,	Rochester,	.....	2,300
Orren Ballard,	Batavia,	.....	940
John S. Ganson,	do	540	2,000
Lucinda Morgan,	do	80	
Gideon Hard,	do	400	
A. C. Stevens & Co.	do	2,300	
Jacob Le Roy,	Le Roy,	4,000	
Lomira Falkner,	Batavia,	100	
Elizabeth Williams,	do	600	
Prime, Ward, King & Co.	New-York,	8,000	
		$100,000	$100,000

BANK OF MONROE.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Allen Ayrault,	Genesee,	$2,500	$2,500
Noyes Barber,	Groton,	2,500	2,500
Abby Barnard,	Lima,	500	500
Joseph Battell,	Norfolk,	12,500	5,000
Ann Breese,	Utica,	3,950	3,950
Sophia Bagg,	do	250	250
George Bliss jun.	Springfield,	5,000	5,000
George Bancroft,	do	5,000	5,000

BANK OF MONROE—(Continued.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Coddington Billings,	New-London,	$2,000	$2,500
William F. Brainard,	do	1,000	1,000
Oliver Culver,	Rochester,	125	125
Gustavus Clarke,	Clarkson,	500	500
Eliza W. Combe,	Utica,	.....	300
Moses Chapin,	Rochester,	1,000	1,000
Jonathan Coit,	New-London,	5,500	7,500
William P. Cleaveland,	do	1,500	1,500
Robert Coit,	do	2,125	2,125
Coleby Chew,	do	2,000	.....
Francis H. Dering,	New-York,	500	500
Benjamin Day,	Springfield,	5,500	5,500
Alexander Duncan,	Canandaigua,	4,500	7,500
Henry Dwight,	Geneva,	18,000	18,000
Jonathan Dwight,	Springfield,	36,000	31,000
Edmund Dwight,	Boston,	5,000	5,000
William Dwight,	Springfield,	.....	2,500
Thomas Dwight,	do	.....	2,500
Ebenezer Ely,	Rochester,	500	500
James K. Guernsey,	Pittsford,	3,125	3,125
Jacob Gould,	Rochester,	500	500
Henry B. Gibson,	Canandaigua,	35,000	30,000
John Greig,	do	18,000	15,000
Catharine Huntington,	Rome,	500	500
Gurdon Huntington,	do	2,500	2,500
Pamela Havens,	do	500	500
Fletcher M. Haight,	Rochester,	625	1,250
Nathaniel W. Howell,	Canandaigua,	4,000	7,000
Geo. Huntington & Co.	Rome,	2,500	2,500
Elisha Johnson,	Rochester,	500	500
Alexander B. Johnson,	Utica,	10,000	10,000
Evan Johns,	Canandaigua,	2,500	2,500
James Johnston,	do	3,875	3,875
Abigail Loisa Smith Johnson,	Utica,	100	100
Ebenezer Kellogg,	Williamstown	1,000	1,000
Edmund Lyon,	Rochester,	2,500	2,500
Hervey Lyon,	do	2,500	2,500
Charles M. Lee,	do	.....	500
Elizabeth, Thomas and Alfred Lee, executors of Benjamin Lee, deceased,	Norwich, Ct.	.....	5,000
Ralph Lester,	Canandaigua,	2,000	2,000
James K. Livingston,	Rochester,	625	625
Alfred Lee,	Norwich, Ct.	2,370	2,375
Henry N. Langworthy,	Rochester,	1,250	1,250
George R. Lewis,	New-London,	1,625	1,625
Ebenezer Learned,	do	3,750	3,750

BANK OF MONROE—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
William H. Law,	New-London,	$3,000	$3,000
Charles A. Lewis,	do	2,500	2,500
Robert Lenox,	New-York,	9,000	9,000
Rosetta H. Malcom,	do	425	425
Robert Maitland,	do	10,000	10,000
William Nixon,	Cincinnati,	1,125	1,125
James Pierce,	Litchfield, Ct.	600	600
Sarah and Mary Pierce,	do	600	600
Lewis L. Peet,	Rochester,	500	500
Enos Pomeroy,	do	500	500
Augustus Porter,	Niagara,	2,300	2,300
Jasper Parish,	Canandaigua,	5,000	5,000
Bela Peck,	Norwich, Ct.	5,000	7,000
Augustus S. Porter,	Detroit,	950	950
Albert H. Porter,	Niagara,	500	500
Levi Russell,	Mendon,	1,000	1,000
David Rossiter,	New-York,	.....	5,000
Elijah F. Smith,	Rochester,	625	625
Jacob M. Schermerhorn,	do	1,500	500
Watts Sherman,	do	1,625	2,000
Abm. M. Schermerhorn,	do	28,150	23,150
Henrietta D. Wright,	New-York,	500	500
William B. Welles,	Canandaigua,	5,000	5,000
Abraham Varick,	Utica,	300	.....
William E. Sill,	Geneva,	1,000	1,000
		$300,000	$300,000

YATES COUNTY BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Wm. L. Oliver,	Penn-Yan,	$18,000	$28,000
Andrew F. Oliver,	do	1,000	1,000
Abraham H. Bennett,	do	1,000	1,000
George Youngs,	Milo,	1,000	1,000
Mordecai Ogden,	Penn-Yan,	1,000	1,000
Alanson Douglas,	Troy,	2,000	2,000
Thomas W. Olcott,	Albany,	10,000	10,000
Alexander Marvin,	do	2,000	2,000
James Harris,	Penn-Yan,	1,000	1,000
Samuel Stevens,	do	1,000	1,000
Greene C. Bronson,	Albany,	2,000	2,000
Ira G. Smith,	Hammondsp't	1,000	.....
Lot Clark,	Lockport,	10,000	.....

YATES COUNTY BANK—(Continued.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Eben Smith,	Penn-Yan,	$5,000	$5,000
Elias Pattison,	Troy,	4,000	
William B. Welles,	Canandaigua,	3,000	3,000
Henry B. Gibson,	do	27,000	30,000
Olivia Hochstrasser,	Perry,	1,000	1,000
Grattan H. Wheeler,	Wheeler,	1,000	1,000
Wm. W. McCay,	Bath,	1,000	1,000
Henry Wheeler,	Penn-Yan,	2,000	2,000
Sam'l S. Ellsworth,	do	3,000	
Asa Cole,	do	1,000	1,000
John Spicer,	Barrington,	1,000	1,000
Alexander Duncan,	Canandaigua,	.....	5,000
		$100,000	$100,000

BANK OF ITHACA.

NAMES OF STOCKHOLDERS	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
John Jacob Astor,	New-York,	$5,000	$5,000
John Jacob Astor,	do	25,000	25,000
John Arnot,	Elmira,	1,000	1,000
Henry Ackley,	Ithaca,	1,400	1,400
A. D. W. Bruyn,	do	7,200	7,600
Jeremiah S. Beebe,	do	1,400	1,400
Samuel P. Bishop,	do	1,000	1,000
Calvin Burr,	Lansing,	7,400	7,940
Daniel Bates,	Ithaca,	13,000	13,000
Samuel Beardsley,	Utica,	1,500	1,500
Henry Bamman,	Albany,	4,000	4,000
Jedediah Barber,	Homer,	1,000	1,000
Elizabeth Bryant,	Ithaca,	100	100
Greene C. Bronson,	Albany,	1,000	1,000
Daniel Conkling,	do	5,000	5,000
Amasa Dana,	Ithaca,	1,000	1,000
Benjamin Drake,	do	7,900	7,900
George Dudley,	Newfield,	40	
Augustine G. Dauby,	Utica,	2,000	2,000
William Durant,	Albany,	2,000	2,000
Robert Dunlop,	do	5,000	5,000
Henry W. Delavan,	Ballston,	5,000	5,000
Peter Doig & Co.,	Ovid,	1,000	
Robert Dunlap,	C.-Valley,	500	500
John Ellis,	Dryden,	400	400
Peter Doig,	Ovid,	.....	1,000
Russel Forsyth,	Albany,	5,000	5,000

BANK OF ITHACA—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Dyar Foote,	Lansing,	$3,000	$3,000
Joshua Ferris,	Spencer,	100	100
Jonathan B. Gosman,	Danby,	2,000	2,000
Luther Gere,	Ithaca,	5,600	5,600
Joseph Goodyear,	Cayuga co.,	1,000	1,000
John Holman,	Ithaca,	1,400	1,400
John S. Holden,	Lansing,	200	200
David Hanmer,	Ithaca,	500	500
Thomas H. Hubbard,	Utica,	2,500	2,500
Josiah Hart,	Cortland Co.,	200	200
Seth Hastings,	Albany,	2,000	2,000
Thomas Hillhouse,	do	2,500	2,500
Daniel Hubbard,	Lisle,	400	800
Ben Johnson,	Ithaca,	20	20
Sylvanus P. Jermain,	Albany,	5,000	5,000
Arad Joy,	Geneva,	2,540	
Charles Kane,	Schenectady,	2,000	2,000
Charles Lalliett,	Cayuga,	2,000	2,000
William P. Luce,	Ithaca,	1,000	1,000
Ebenezer Mack,	do	400	400
Stephen Mack,	do	400	400
John Manning,	do	260	260
Abijah Miller,	Lansing,	5,000	5,000
Merchants' Insurance co.	Albany,	10,000	10,000
William Marvin,	do	2,500	2,500
James Nichols,	Ithaca,	1,000	1,000
Jonathan Platt,	Owego,	400	
William Randall,	Cortland,	6,000	6,000
Joseph Speed,	Caroline,	1,000	1,000
Priscilla Sidney,	Ithaca,	140	140
Theodore Sedgwick,	Stockbridge,	1,000	1,000
John Sinclair,	Romulus,	3,000	3,000
Ancel St. John,	Ithaca,	14,000	13,600
William B. Storm,	do	....	40
Stephen Tuttle,	Elmira,	500	500
Elisha Taylor,	Cherry-Val'y,	5,700	5,700
Jacob H. Ten Eyck,	Albany,	2,000	4,000
Jacob Ten Eyck,	Cazenovia,	2,000	2,000
Amos W. Woodward,	Ithaca,	500	
Ephraim Wilder, jr.,	Albany,	2,000	2,000
Stephen Wells, jr.,	Richford,	400	
John Yelverton,	Madison co.,	2,000	2,000
Asa Sprague,	Schenectady,	1,000	1,000
Amos Hixon,	Ithaca,	.....	500
Charles E. Hardy,	do	.....	400
		$200,000	$200,000

CANAL BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept 1832.
Parker Adams,	N.-Hartford,	$600	$1,600
William Adams,	Albany,	1,000	1,000
Horace Allen,	do	500	500
Tilly Allen,	do	500	500
Silas B. Bulkley,	do	200	200
John Bulkley,	do	200	200
Charles D. Bulkley,	do	300	300
Francis Bloodgood,	do	1,000	1,000
Andrew E. Brown,	do	740	
Edward Brown,	do	760	760
Mary E. Bradford,	do	1,000	100
Nich's Bleecker, jr.,	do	400	400
Harmanus Bleecker,	do	1,000	1,000
Eleazer F. Backus,	Philadelphia,	11,500	11,500
John I. Boyd,	Albany,	1,400	2,400
John Brown,	Schenectady,	1,000	
Eli Barnum,	Ballston,	1,000	1,000
Francis Brooks,	Utica,	400	400
Thomas M. Burt,	Albany,	1,000	1,800
Benj'n B. Bachellor,	do	500	500
Edwin Croswell,	do	4,000	4,000
Samuel Cook,	Ballston,	3,000	3,000
Erastus Corning,	Albany,	4,500	4,500
Jeremiah Clark,	New-York,	2,000	2,000
James Clark & Son,	Albany,	1,500	
Walter Clark,	do	4,000	4,000
Daniel Conklin,	Rensselaerv'l,	2,000	2,000
Alonzo Crittenden,	Albany,	500	500
William Cunningham,	Schenectady,	500	500
Joseph Cook,	Albany,	1,000	1,000
James Carmichael,	do	800	800
John Chrystie,	Chippeway,	5,000	7,400
Wm. W. Cranell,	Albany,	600	600
Thomas W. Chrystie,	do	1,000	1,000
Edward Corning,	New-York,	500	500
Shuler Cady,,	Florida,	1,000	1,000
Lyman Chapin,	Albany,	4,760	4,760
E. Corning, ex. es. A. Davidson,	do	6,000	6,000
Roswell Churchill,	do	500	
Conkling & Herring,	New-York,	2,000	
E. Corning for M. Rice & others,	do	2,000	
Robert Dunbar, jr.,	do	1,000	1,000
John I. De Graff,	Schenectady,	3,000	3,000
Henry W. Delavan,	Ballston,	10,000	10,000
Amos Adams,	Albany,	500	
Chester Bulkley,	do	300	300
Rich'd Varick DeWitt,	do	1,000	11,440

CANAL BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Johannah Durrie,	Albany,	$740	$740
Harvey Davis,	Schenectady,	2,000	2,000
John D. P. Douw,	Albany,	1,000	1,000
Edward C. Delavan,	do	2,000	2,000
James Dexter,	do	600	600
John Dows,	do	1,500	1,500
Newton S. Dexter,	Whitestown,	1,500	1,500
James Edwards,	Albany,	500	500
John Fisher,	do	1,500	
Thomas W. Ford & Son,	do	2,500	2,500
Heman A. Fay,	do	1,000	1,000
John Garnsey,	do	1,000	1,000
James Goold,	do	2,000	2,000
Henry Green,	do	500	500
Nathan Garnsey,	Clifton Park,	2,500	2,500
David Garnsey,	do	1,000	1,000
Jno. R. Gansevoort & oth. Ex'rs estate of C. Gansevoort,	Albany,	1,000	1,000
Thomas Hoag,	Nassau,	5,400	6,000
Erastus Hills,	Albany,	800	800
Isaac Hamilton,	do	1,500	1,000
Thomas H. Hubbard,	Utica,	6,000	6,000
do do trustee,	do	100	100
Cyrus Hawley,	Albany,	1,000	1,000
Maria Hendrickson,	do	160	160
Sylvanus P. Jermain,	do	200	
Ebenezer Jesup,	Connecticut,	1,000	1,000
Augustus James,	Albany,	2,000	
Alexander B. Johnson,	Utica,	4,000	4,000
James Kent,	New-York,	3,000	3,000
Warren Kellogg,	Troy,	1,000	1,000
Maria I. Livingston.,	Stillwater,	120	120
James Livingston,	Bath,	200	200
John E. Lovett,	Albany,	1,000	1,000
Andrew D. Lansing,	do	600	600
Cornelius Lansing,	Lansingburgh	1,000	1,000
William Mascraft,	Albany,	600	600
James McNaughton,	do	1,000	
Walter R. Morris,	do	500	500
Richard M. Meigs,	do	1,000	1,000
Ezekiel C. McIntosh,	do	600	
Lachlan McPherson,	do	240	240
Henry T. Mesick,	do	2,000	2,000
Hugh R. Martin,	Schenectady,	2,000	2,000
Marinda Mills,	Albany,	1,500	1,500
Mary McKay,	do	500	500
Robert McMillan,	U S. Army,	1,000	

CANAL BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Alexander Marvin,	Albany,	$2,000	$2,000
John Marvin,	do	1,000	1,000
William Marvin,	do	1,500	1,500
Merchants' Insurance Co.	do	1,000	1,000
John M. Newton,	do	1,400	1,400
John T. Norton,	do	11,400	9,000
William Newton,	do	2,500	2,500
Charles S. Olmstead,	do	500	500
Packard & Van Benthyusen,	do	2,000	7,400
John Keyes Paige,	do	3,000	3,000
Ralph Pratt,	do	4,000	4,000
Philip Phelps,	do	800	800
James Porter, Register, &c.	do	3,000	3,000
James Porter,	do	5,000	1,000
Casparus F. Pruyn,	do	600	600
Annanias Platt,	do	520	520
do in trust for Lucy Jacobs,	do	480	480
Lyman Root,	do	3,040	4,040
Thos. & Joseph Russell,	do	5,500	5,500
Jared L. Rathbone,	do	4,740	4,740
Rathbone & Chapin,	do	1,600	3,300
Regents University St. of N. Y.		460	
Joel Rathbone,	do	1,000	1,000
Henry W. Snyder,	do	500	500
Israel Smith,	do	4,000	4,000
Smith & Willard,	do	300	
Asa Sprague,	Schenectady,	2,000	2,000
John Savage,	Albany,	4,000	4,000
Henry Shaw,	Lanesboro',	6,000	6,000
Joseph Strain,	Albany,	300	300
Lemuel Steele,	do	1,000	
James Stevenson,	do	1,000	1,000
Moses Smith,	Malta,	1,000	1,000
Robert F. Slack,	Albany,	1,300	1,300
George Shepherd,	Butternuts,	1,000	1,000
Isaac M. Schermerhorn,	Schenectady,	1,000	1,000
Lachlan Stewart,	Albany,	1,000	1,000
Douw R. Slingerland,	do	2,000	2,000
Margaret C. Smith,	do	500	500
Samuel Spencer Stafford,	do	280	280
Catharine Solomons,	do	1,000	1,000
Wyatt R. Swift,	Schaghticoke,	500	500
Robert Thompson,	Albany,	900	
James Thompson,	Milton,	3,000	3,000
Aaron Thorp,	Albany,	2,000	2,000
William Thorp,	do	2,000	2,000
John W. Taylor,	Ballston,	2,000	2,000

CANAL BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832
Benjamin Tibbits,	Albany,	$2,000	$2,000
Trustees fire depm't Albany,	do	140	140
Trustees Albany Academy,	do	100	100
Charles Van Benthuysen,	do	200	200
Richard Varick,	New-York,	7,000	
Abraham Varick,	Utica,	6,160	6,160
William Walsh,	Albany,	1,000	1,000
David Wood,	do	2,000	2,000
Elenor Wood,	New-York,	1,000	1,000
Bradford R. Wood,	Albany,	500	500
John Willard,	do	4,000	
Charles B. Webb,	do	4,440	
Henry L. Webb,	do	8,000	4,000
do in trust for H. Chester,	do	1,000	1,000
Thomas Wallace,	do	500	900
Wardens & V. St. Geo. Church,	Schenectady,	300	300
Willard Walker,	Albany,	1,000	1,000
Willard H. Walker,	New-York,	1,000	1,000
Reuben H. Walworth,	Albany,	2,000	2,000
Henry R. Weed,	Troy,	1,920	1,920
Alexander Walsh,	Lansingburgh	2,000	2,000
Joseph Wakeman,	Connecticut,	1,000	1,000
Lucian B. Webster,	West Point,	340	340
Samuel Young,	Ballston,	5,000	5,000
J. C. Yates, Ex. est. J. D. Lacy,	Schenectady,	960	960
T. Romeyn Beck, Guard'n C. & H. Beck,	Albany,	.....	500
Comptroller St. of N. Y. in trust for Literature fund,	do	.....	460
Thomas C. Coit,	Hartford,	.....	2,840
Fireman's Insurance Co.	Albany,	.....	4,040
Ira Harris,	do	.....	600
John Hendrickson,	do	.....	2,000
Anthony C. Houghtailing,	New-Balt're,	.....	200
John James,	Albany,	.....	1,160
Thomas Lawrence,	New-York,	.....	4,000
Christian Miller,	Albany,	.....	600
Frederic Porter,	do	.....	300
Silas T. Rice,	do	.....	2,000
David Tomlinson,	Schenectady,	.....	1,000
James Clark,	Albany,	.....	2,000
		$300,000	$300,000

MERCHANTS' EXCHANGE BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
G. Allen,	New-York,	$5,000	
John Addy,	do	500	$500
C. K. Averill,	do	500	
John Andrews,	do	100	100
J. B. Aubert,	Havana,	.....	1,250
John Jacob Astor,	New-York,	10,000	59,450
Geo. Arcularius,	do	.....	2,500
W. B. Astor,	do	.....	9,600
A. L. Ackerman,	do	.....	250
Atlantic Insurance co.,	do	.....	30,000
Albany do	do	.....	2,000
P. G. Arcularius,	do	.....	500
Bergh & Arcularius,	do	1,250	
T. C. Bartine,	do	500	500
Jane Bunce,	do	100	100
J. Brinkerhoff,	do	500	
Bindett & Ackerman,	do	1,250	
Geo. Brett,	do	100	100
Henry Bennett,	do	500	
Thos. M. Burt,	do	2,000	
Charles A. Burgh,	do	750	
J. S. Bogert,	do	1,000	
I. D. Beers & Co.	do	40,250	
Henry Belder,	do	2,500	
Wm. Berrian,	do	.....	300
W. W. Boardman,	New-Haven,	.....	1,100
Wm. Barrow,	New-York,	.....	750
Wm. G. Buckner,	do	55,100	1,000
Wm. Benjamin,	do	500	500
A. Beers,	do	500	500
David I. Boyd,	do	1,250	
S. Bogert,	do	.....	1,500
James Benedict,	do	.....	8,000
Frances E. Berger,	do	.....	4,500
Euphemia Burkhalter,	do	.....	100
W. Brewster,	Rockland,	.....	100
Walter F. Brewster,	New-York,	.....	1,500
Benj. Bailey,	do	.....	5,000
Jehoiakim Bergh,	do	.....	1,500
Jacob Brandeger,	do	.....	5,000
Wm. Burd, Pres't,	do	20,000	3,000
E. D. Brown, Cashier,	do	.....	500
Lockwood Buckingham,	do	.....	1,250
John I. Clarkson,	do	.....	2,950
Geo. Colgate,	do	.....	1,000
W. W. Chardavoyne,	do	.....	500
R. Curry & Hunt,	do	1,000	

MERCHANTS' EXCHANGE BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
D. Coolidge,	New-York,	$5,500	
Crook, Van Vliet & Sudam,	do	2,000	
G. & I. Colgate,	do	2,000	$1,000
Aaron Clarke,	do	10,000	10,000
Charles Coutes,	do	1,500	1,500
S. M. Chester,	do	1,500	
Israel Cooke,	do	1,500	1,500
J. B. Crary,	do	1,000	1,000
Walter Cunningham,	do	2,000	
Smith Cutler,	do	1,000	1,000
W. W. Chester,	do	20,000	1,300
Clark Chester,	do	2,500	3,250
Erastus Corning,	Albany,	2,000	
Catharine Ann Coolidge,	New-York,	.....	5,500
W. C. & M. Cornell,	do	500	
Saml. Coddington,	do	1,000	1,000
Costar & Carpenter,	do	9,250	11,450
H. I. Cameron,	do	2,500	
David Codwise,	do	.....	6,000
Sarah Cowen,	do	.....	9,000
Charles I. Clark,	do	.....	2,000
Thos. S. Clarkson,	do	.....	2,500
Anna Maria Clarkson,	do	.....	1,650
John Clark,	Saratoga,	.....	2,600
E. M. Chester,	New-York,	.....	500
Mary Clark,	do	.....	300
S. A. Darling,	do	1,000	350
Samuel Darling jun.	do	500	
Fyler Dibblee,	do	1,000	
Charles Dennison,	do	20,000	20,000
J. Demaray & Son,	do	1,000	1,000
S. & A. Dennison,	do	2,000	500
Abm. Douglass,	Troy,	4,500	10,000
Lyman Denison,	New-York,	2,000	800
J. Delafield,	do	1,000	
John Dows,	do	1,500	1,500
Leon M. Davis,	do	2,500	2,500
David A. Demarest,	do	100	6,000
H. De Mott,	do	1,500	1,500
S. R. Demarest,	do	.....	2,250
John De Peyster,	do	.....	3,000
William Durant,	do	.....	10,200
Prim Dumas,	Havana,	.....	2,200
John R. Demarest,	New-York,	.....	750
Dykers & Allstyne,	do	5,000	
Cornelia Edgar,	do	1,000	
Justus E. Earle,	do	1,000	

MERCHANTS' EXCHANGE BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Thos. E. Eldredge,	New-York,	$250	$250
David H. Ellis,	do	150	150
James Emot,	do	.....	5,000
Benjamin Everett,	do	.....	500
John Earlick,	do	.....	1,500
Nicholas Fish,	do	2,500	
Hamilton Fish,	do	1,250	
D. B. Fuller,	do	2,000	
Joseph Farnham,	do	500	
John Ferguson,	Ballston,	.....	3,000
Wm. Ferden,	Rockland,	.....	1,250
Josiah Gorham,	Connecticut,	.....	500
G. W. Gray,	New-York,	500	
J. Graham,	do	1,000	
John L. Graham,	do	2,000	
John Glover,	do	2,000	
John A. J. Graham,	do	500	
Jas. L. Graham,	do	2,000	
Jas. & J. L. Graham,	do	.....	4,000
Matthew Greene,	do	.....	1,000
Adelia Ann Gumen,	do	.....	600
Robert Gossman,	do	.....	1,500
John Gallaher,	U. S. Navy,	.....	1,000
John Gillespie,	New-York,	.....	2,500
J. & D. Gorham,	do	.....	1,000
Faith T. Huntington,	do	250	
Sam. I. Hunt,	do	750	
A. D. Hall,	do	1,500	2,000
A. B. Hays,	do	2,000	
Benj. Hustace,	do	6,500	6,500
Newton Hays,	do	1,000	1,000
N. T. Hubbard & Co,	do	2,500	
Asa Hall,	do	2,000	2,000
Gould Hoyt,	do	20,000	24,000
James I. Hoyt,	do	1,250	1,250
Henry Hinsdale,	do	1,000	1,000
James M. Hoyt,	do	2,500	
J. & D. Higgins,	do	2,500	
Caleb Hopkius,	Catskill,	2,500	2,500
John Harris,	Newburgh,	1,000	1,000
Eli Hart,	New-York,	23,500	5,750
N. B. Holmes,	do	500	
Levi Hart,	do	1,000	
John J. Herring,	do	500	500
Herring S. Hoyt,	do	5,000	
W. F. & F. C. Havemeyer,	do	2,000	
David Henriques,	do	.....	2,000

MERCHANTS' EXCHANGE BANK.—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
James F. Henry,.....	New-York, ..	$1,500	
J. M. Halsey,.....	do ..	.....	$2,050
John J. Harring, ...	do ..	.....	2,000
Harriet Warren,.....	do ..	.....	500
Charles Hall, ...	do ..	.....	10,000
Harmon Hendricks,.....	do ..	.....	5,000
Wm. Havemeyer,.....	do ..	.....	4,750
Francis Hemmenday,.....	Havana,.....	.....	9,250
W. F. Havemeyer,.....	New-York,..	.....	2,000
Isaac J. Harring,.....	do	.....	200
David S. Higgins,.....	do	.....	1,250
O. H. Hicks, Pres't,.....	do	22,000	
Sam. V. Hoffman,.....	do	5,000	5,000
N. W. Jewett,.....	do	500	
Charles A. Johnes,.....	do	1,000	
Theo. H. Jenkins,.....	do	1,000	
James Jenkins,.....	do	2,950	
W. H. Ireland, ...	do	1,000	
J. S. & S. Joseph & Co.,.....	do	20,500	1,400
Jackson Marine Insurance Co.,	do	.....	22,500
Chester Jennings,.....	do	.....	2,500
A. M. S. Jackson,.....	do	1,000	1,000
John L. Kane,.....	Schenectady,..	.....	700
Mary Kissam, ...	New-York, ..	.....	1,750
Thos. Knox,.....	Pennsylvania,	.....	1,000
J. J. Lagrave,.....	New-York, ..	.....	5000
Daniel Le Roy,.....	do	2,500	
David Lydig & Son,.....	do	1,500	
Thos. Laurence & Son,.....	do	5,000	
C. V. Leonard,.....	do	500	
Harmon Le Roy,.....	do	2,500	2,500
Henry Lott,.....	do	750	
Lear Lilienthal,.....	do	750	750
Chas L. Livingston,.....	do	2,500	
Philo Lewis,.....	do	1,000	
W. H. Le Roy,.....	do	1,100	
John Limberger,.....	do	500	
A. Le Meyne,.....	do	.....	10,000
Randolph Lowerre,.....	do	.....	1,000
Wm. Lockwood,.....	do	.....	1,250
E. Lockwood,.....	do	.....	1,250
W. P. Lott,.....	N. Jersey,...	.....	1,000
Eliza Lord,.....	New-York,...	.....	1,000
Philip M. Lydig, ...	do	.....	5,000
Thomas Lawrence,.....	do	.....	5,000
Peter Lorillard, ...	do	.....	6,000
Thomas Lynch,.....	do	.....	2,600

MERCHANTS' EXCHANGE BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence	Amount 1 Sept. 1881.	Amount 1 Sept. 1882.
Frances P. Lupton,.....	New-York, ..	$1,000	$1,000
James R. Manly, ...	do	500	
A. L. Munn,.....	do	2,500	
Richard McCarty, ...	do	5,000	5,000
Morgan & Winslow,.....	do	2,500	
Myers & Hamilton,.....	do	1,000	
Elihu L. Mix,.....	do	1,000	
Marquand & Brothers,.....	do	500	
John B. Maton,.....	do	1,000	1,000
E. A. Miller, ...	do	500	
R. H. McCurdy, ...	do	12,500	2,500
Wm. McCluskey,.....	do	500	
James McCall,.....	do	2,000	
A. McIntyre, ...	do	2,500	2,500
Polly Miller,.....	do	1,000	650
W. W. Mumford,.....	do	1,000	
Merchants' Fire Insurance Co.,	do	11,000	
McEyers & A. Treadwell,....	do	.....	11,150
Alex'r McGregor,.....	New Jersey,.	.....	1,500
James Mathew, ...	Lynne, Ct.,...	.....	450
Catharine Megoun, ...	New-York, ..	.....	1,000
Peter McMaitin, ...	do	.....	600
Sam'l F. Mott,.....	do	.....	11,150
James Milner,.....	do	.....	1,000
Leonard Nicoll,.....	do	1,000	
New-York S. Mar. In. Co.,....	do	.....	5,400
John D. Nicoll,.....	do	6,500	6,500
George Newbold,.....	do	2,000	2,000
John Niles,.....	do	250	
Rufus L. Nevins,.....	do	1,000	
Nevins & Townsend,.....	do	5,000	10,550
A. Y. Nicoll,.....	New Jersey,.	.....	5,000
Joseph Otis,.....	New-York,...	.....	3,000
John A. Perry & Co.,.....	do	8,050	50
Otis Preston,.....	do	950	950
Wm. L. Packer jr.,.....	do	1,250	
G. S. & C. D. Puffer, ...	do	1,250	2,750
Peck, Wetmore & Clark,.....	do	11,500	
John Penet,.....	do	500	
John Perry,.....	do	2,500	1,250
Thad. Phelps & Co.,.....	do	1,000	
Leonard Perkins,.....	do.	.....	400
Pres't & Finance Com'e. of the Neptune Insurance Co.,.....	do	.....	10,000
Cyrus Perkins,.....	do	1,000	1,000
Wm. C. Rhinelander,.....	do	6,500	6,500
Wm. C. Redfield,.....	do.	1,000	

MERCHANTS' EXCHANGE BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Henry Rankin,	New-York,	$20,000	$16,150
L. H. Russell & Co.,	do	2,250	
Reed & Mix,	do	1,000	
Robert Ray,	do	1,250	
Wm. Robins,	do	500	2,000
David Rogers & Son,	do	2,000	
H. R. Remsen,	do	.....	11,150
W. W. Russell,	do	.....	5,000
Henry & Peter Rankin,	Pennsylvania,	.....	5,900
Freeman Rundon,	New-York,	.....	1,750
Longford Redwood,	do	.....	1,000
W. D. Snodgrass,	do	.....	1,500
Ephraim Smith,	do	2,500	2,500
Garrett Storm,	do	5,000	5,000
John Slidell, Pres't,	do	.....	11,000
Judge Sutherland,	do	2,200	
Mary Sheaf,	do	2,500	2,500
Charles I. Stedman,	do	500	
Rob't L. Stewart,	do	1,000	1,000
Jno. T. Sheiver,	Dutchess,	2,500	3,700
Jas. C. Stoneall,	New-York,	2,500	2,500
Peter Stagg,	do	5,000	5,000
Scott & Leggett,	do	1,000	1,000
W. A. Seely,	do	1,000	
E. A. Strong & Co.,	do	1,000	
A. & B. Stagg,	do	5,000	5,000
John B. Schmelzel,	do	500	
Wm. Sherwood,	do	1,000	500
John S. Smith,	do	250	250
George Seaman,	do	2,000	2,500
Smith & Town,	do	1,000	
Henry R. Storrs,	do	1,000	
Lewis Shallcross,	do	500	500
S. Sherwood,	do	2,500	
L. H. Smith & Co.,	Lynn, Ct.,	.....	700
Abner M. Smith,	New-York,	.....	1,000
Elizabeth Seaman,	do	.....	500
Peter Serring,	do	.....	800
Ann M. Shaw, in trust for E. Mackie,	do	.....	1,000
Ann M. Shaw, in trust for J. B. Mackie,	do	.....	1,000
C. Townsend,	do	.....	500
James Tallmadge,	do	2,500	5,000
N. P. Tallmadge,	do	7,500	5,000
D. B. Tallmadge,	do	1,000	
H. W. Titus,	do	1,000	1,000
Charles Tunder,	do	1,000	1,000

MERCHANT'S EXCHANGE BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
F. A. Tracy,	New-York,	$11,250	
John Turnbull,	do	500	
Benj. T. Taylor,	do	1,000	$1,000
Albert H. Tracy,	do	12,500	6,000
H. F. Tallmadge,	do	6,500	3,800
Walker Todd,	do	1,000	1,000
Benj. Tallmadge,	do	2,500	2,500
Patience W. Tunis	do	.....	550
Warren W. Tallman,	do	.....	500
Saml. Thomson,	do	5,000	5,000
A. L. Underhill, Prest.	do	.....	10,500
Union Insurance Co.	do	.....	2,000
J. B. Varnum,	do	20,000	5,000
John Van Benson,	do	.....	3,500
Lawrence Van Wirt,	do	500	500
J. Van Brunt,	do	500	
Jacob Van Winkle,	do	500	
J. E. Viele,	do	2,500	
W. M. Vermilye,	do	1,000	
John Van Nostrand & Co.	do	16,500	5,000
Elizabeth S. Van Beuren,	do	.....	2,250
Elizabeth Walsh,	do	.....	2,500
Eliphalet Wicks,	Jamaica,	.....	5,000
E. White,	New-York,	500	500
Westervelt & Quackenbush,	do	2,000	2,000
N. H. Wolfe,	do	1,000	
Wm. Warner,	do	1,000	
Wyckoff & Brown,	do	1,000	
John Ward & Co.	do	11,250	
Nicholas Wyckoff,	do	1,000	
Robert White,	do	2,000	4,500
W. & L. Wykoff,	do	2,500	
W. E. Wilmerding,	do	1,000	1,000
J. G. Williams,	do	500	
Nicholas Wykoff,	Jamaica,	1,000	1,000
Wilder & Hastings,	New-York,	2,000	
Henry Wykoff,	do	2,000	4,000
Wm. Walsh,	Orange co.	2,000	
Jacob Wykoff,	New-York,	1,250	
Stephen Wray,	do	500	
Wood, Grant & Co.	do	2,000	2,000
Wood & Van Wagenan,	do	1,000	1,000
R. Wheeler & Co.	do	1,000	1,000
Martha Willson,	do	500	500
John D. Warner & Son,	do	1,250	200
Charles Wardell,	do	5,000	
P. Westervelt, jr.	do	500	500

MERCHANT'S EXCHANGE BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
W. W. Woolsey & G. Griswold,	New-York, ..	.....	$15,000
Thos. S. Weeks,	Long Island, .	.....	2,000
William W. Woolsey,	New-York, ..	.....	4,850
Yates & McIntyre,	do ..	$5,000	5,000
Henry Yates,	do ..	2,500	2,500
John B. Clark,	do ..	1,000	1,000
Hoppock & Apgar,	do ..	1,000	
Charles Minton,	do ..	.....	1,000
		$750,000	$750,000

BUTCHERS' AND DROVERS' BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Thos. Agate,	New-York, ..	.....	$800
James Albro,	do ..	$500	500
Jac. Aims,	do ..	500	500
Ann Bolton,	do ..	600	600
Thos. Bale,	.....	500	500
Hor. Blake,	.....	875	325
Caleb Bartlett,	New-York, ..	1,600	600
Benj. Bailey,	.....	5,000	
Jos. Brandon,	.....	.....	1,250
Leo. Baum,	New-York, ..	200	200
Jac. Brantingham,	do ..	.....	875
P. W. Burrell,	do ..	250	250
Walter Bowne,	do ..	1,250	1,250
Benj. Birdsall,	do ..	625	675
Gil. Bates,	do ..	1,000	
J. H. Cornell,	do ..	.....	1,750
Peter Cook,	do ..	625	625
Wm. Carr,	do ..	1,000	
Jno. Corcoren,	do ..	125	125
D. Cotheal,	do ..	500	500
J. & S. Campbell,	do ..	2,000	2,000
A. Dolmage,	do ...	125	125
G. Dominick,	do ..	500	500
L. T. Danie,	do ..	75	75
Alanson Douglas,	Troy,	5,000	10,000
L. Dodge,	Newburgh, ..	300	300
Ben. Disbrow,	New-York, ..	1,000	2,500
Wm. Durant,	Albany,	850	4,600
B. B. Edwards,	New-York, ..	125	125
A. Fink,	do ..	500	500

BUTCHERS' AND DROVERS' BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Nichs. Fisk,	New-York,	$10,500	$10,500
J. N. Greenzebach,	do	375	375
Ham'n Fish,	do	.....	2,500
A. Greele,	do	1,250	1,250
H. Y. Greenzebach,	do	125	125
W. Galloway,	do	250	250
J. N. Hunn,	do	.....	100
J. A. Hardenbrook,	do	150	150
Thos. Hyatt,	do	50	50
F. Jeremiah,	do	250	250
Jas. Grosvenor,	do	1,250	2,250
T. M. Burt,	Not known,	1,000	1,000
M. C. E. Ingersoll,	New-Haven,	2,500	2,500
R. Kerregan,	Not known,	150	150
F. R. Lee,	New-York,	1,200	1,200
J. Linkleter,	.....	500	500
Jas. Lounsberry,	New-York,	500	500
J. H. Martine,	do	500	500
Mar. Marsh,	do	100	100
D. Marsh,	do	500	500
Jac. Morton,	do	150	150
C. Townsend,	do	750	750
W. W. Petrie,	do	1,000	1,000
R. Provost,	do	600	600
M. Pell,	do	300	300
J. Post jun.	do	1,000	2,500
Phelps & Peck,	do	3,000	3,000
Jas. Purdy,	do	250	250
John Perrin,	do	750	2,000
Isaac Platt,	do	200	200
A. G. Phelps,	do	3,225	3,225
Raynor & Laforge,	do	300	300
Rawdon, Wright & Co.	do	5,000	5,000
P. G. Stuyvesant,	do	1,250	3,750
L. Sawyer,	do	3,750	1,250
W. S. Seaman,	do	250	250
N. W. Stuyvesant,	do	2,250	2,250
E. H. Somerindike,	do	50	50
M. Spader,	do	100	100
Ger. Smith,	do	2,000	2,000
J. K. Taylor,	do	750	750
S. R. Sherwood,	.....	2,500	2,500
M. Shepherd,	New-York,	2,500	2,500
Fred. Tarr,	do	1,250	1,250
F. Valentine,	do	250	250
E. H. Warner,	do	2,000	3,750
C. Wheelock,	.....	250	250

BUTCHERS' AND DROVERS' BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Jon. Wilt,	New-York,	$500	$750
D. Winship,	do	.....	250
A. C. Wheeler,	do	500	600
M. Robinson,	do	5,000	1,250
do Cashier,	do	12,500	
J. Watts jun.	do	1,125	1,125
J. C. Yates, ex'r.	Albany,	5,000	5,000
M. Herring,	New-York,	.....	700
Sam. Bell,	do	.....	500
A. W. Gates,	.....	2,000	2,000
Jon. Newton,	New-York,	500	500
F. Cock, M. D.	do	2,500	5,500
S. V. Bouland,	do	600	600
A. H. Lawrence & Co,	do	1,000	1,000
W. Welsh,	do	100	100
G. J. Hopper,	New-Jersey,	500	500
P. Gassner,	New-York,	500	1,000
J. L. & S. Joseph & Co.	do	10,875	2,600
G. S. Marschalk,	do	625	625
F. Marquand,	do	625	625
Merchants' Insurance co.	do	.....	6,000
E. Platt jun.	Not known,	1,250	3,000
R. Oakley,	New-York,	3,000	500
W. G. Bucknor,	do	1,300	8,200
R. Foght,	do	500	400
A. E. Taylor,	do	.....	1,075
Rob. Gwyer,	do	250	250
W. Stevenson,	do	2,500	2,500
J. H. Conterit,	do	6,250	6,250
W. W. Wakeman,	do	1,500	1,000
Z. B. Wakeman,	.....	500	500
John Wood,	New-York,	500	500
J. Hendrickson,	Jamaica, L. I.	.....	1,250
W. E. Craft,	New-York,	1,725	1,725
F. Gross,	do	2,500	2,500
W. Taylor,	do	3,250	3,250
F. S. Gibbs,	do	7,500	4,750
N. Y. State Marine Ins. co.	do	18,250	10,750
J. T. Irving,	do	3,850	3,850
J. Wakeman,	.....	1,125	1,125
A. Vabaud,	New-York,	575	1,125
D. Henriques,	do	1,500	1,500
Coster & Carpenter,	do	3,125	4,125
M. Marsh,	do	.....	5,000
Estate Jas. Carey, deceased,	do	.....	2,425
J. Bolton, Pres't,	do	.....	4,500
W. P. Woodcock,	do	.....	2,500

BUTCHERS' AND DROVERS' BANK—(Continued.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
J. F. Wilckens,	New-York,	.....	$2,000
B. M. Brown,	do	.....	1,000
Morgan Lewis and others,	do	.....	1,450
W. W. Boardman,	.....	.....	1,000
A. Murray,	New-York,	.....	1,000
D. Ludlum,	Long-Island,	.....	500
J. A. Perry & Co.	New-York,	$16,925	
E. Turner,	do	.....	150
N. Lay,	Connecticut,	.....	750
H. N. Ferris,	.....	.....	250
B. Cannon,	New-York,	.....	550
J. Mills,	do	.....	1,500
J. Robertson,	.....	.....	350
J. J. Franks,	.....	.....	1,000
J. Greenwood,	.....	.....	1,250
D. A. Demarest,	.....	.....	1,500
C. Dexter,	.....	.....	500
Eliza Beekman,	.....	.....	700
Jane Adams,	.....	.....	375
Luke Bergen,	Long-Island,	.....	200
Ida A. W. Bergen,	do	.....	50
A. Bergen,	do	.....	500
H. Erben,	New-York,	.....	750
C. Hall,	do	.....	500
H. S. Feltus,	do	.....	800
H. & D. Cotheal,	do	.....	2,500
Jas. Lovett,	do	.....	500
J. Mattison,	.....	.....	200
Jno. Noble,	New-York,	.....	6,525
W. W. Dwight,	.....	.....	1,500
B. M. Brown, Treasurer,	New-York,	.....	5,000
Ly. Allen,	.....	.....	500
A. Valentine,	New-York,	.....	1,000
R. R. Lockwood,	.....	.....	775
		$300,000	$300,000

MECHANICS' AND TRADERS' BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
George Y. Allaire,	Hackensack,	$1,500	$1,500
Protection Fire Insurance co.	New-York,	7,500	6,075
Thomson Price,	do	2,000	2,000
Zebedee Ring,	do	4,000	6,500

MECHANICS' AND TRADERS' BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Mary F. Hallam,	Unknown,	$1,075	$1,450
Thomas I. Chew,	Brooklyn,	1,075	1,075
Frederick A. Tracy,	New-York,	6,250	4,125
Elijah Humphrey,	do	2,000	
Richard Towning,	St. Domingo,	2,125	2,125
Jones & Megrath,	New-York,	10,090	9,750
George Douglass & Co.	do	7,875	2,375
Phelps & Peck,	do	4,750	
Thos. H. Mills,	do	4,000	4,000
Walter R. Jones,	do	1,500	1,500
Mills & Denisons,	do	.....	1,000
Jedediah Perkins,	Norwich, Ct.,	.....	5,000
D. W. C. Olyphant,	New-York,	.....	10,000
Joseph Otis, in trust,	do	.....	2,000
Abijah Fisher,	Unknown,	.....	1,250
Samuel I. Waring,	New-York,	.....	2,000
Trustees of the late Hope Ins. co.	do	.....	7,000
James De Baun,	do	500	500
John C. Greene,	do	.....	2,500
John Leveridge,	do	3,000	5,000
Henry Remsen,	do	.....	2,850
Jeremiah Clark,	do	4,250	4,250
Mary S. Peck,	Unknown,	1,000	1,000
Philip Harmon,	New-York,	3,000	4,300
William Steele,	Unknown,	2,500	
W. T.C. Chardavoyne,	New-York,	500	500
John Rogers,	do	2,000	2,000
Henry Thomas Woodward,	Ithaca,	.....	550
William W. Woolsey,	New-York,	.....	11,000
Rufus L. Nevins,	do	7,850	
Chas. H. Richards,	do	.....	2,900
Lucy Carpender,	Unknown,	.....	625
Joseph Huntington,	Norwich, Ct.,	.....	5,000
Benjamin D. Yates,	New-York,	500	500
Mary Lay,	Westbrook,	.....	1,250
Mills, Brothers & Co.	New-York,	2,500	
Geo. M. Wetmore,	do	250	250
M. Robinson, Cashier,	do	12,500	
Stephen Lyon,	do	500	500
William Durant,	Albany,	.....	1,250
Nicholas Dean,	New-York,	.....	500
James Stone,	Unknown,	.....	3,750
John Sayre,	do	.....	3,500
Ira B. Wheeler,	New-York,	550	
Alfred Lee,	Norwich, Ct.,	.....	1,250
Chas. P. Huntington,	do	.....	2,800
Giles Buckingham,	do	2,500	3,750

MECHANICS' AND TRADERS' BANK—(Continued.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
J. S. & S. Josephs & Co.	New-York,	$3,800	
R. Havens, President,	do	.....	$4,250
Nevins & Townsend,	do	3,250	200
William Sherwood,	do	.....	1,375
Fireman's Insurance co.	do	.....	2,500
S. & M. Allen,	do	6,500	
H. H. Lawrence & Co.	do	100	
Atlantic Insurance co.	do	12,500	5,000
Anson G. Phelps,	do	2,000	6,750
Benj. C. Leveridge,	do	300	1,550
Ebenezer Platt jun.	do	2,250	
J. A. Perry & Co.	do	14,100	
National Insurance co.	do	.....	6,000
Joseph Otis,	do	1,000	1,000
John Clapp, in trust,	do	.....	1,600
John Slidell, President,	do	5,000	
Geo. P. Shipman, in trust,	do	1,825	1,000
William E. Dodge,	do	1,250	1,250
Walter Stevcnson,	do	2,500	2,500
Elias H. Ely,	Unknown,	.....	2,500
Oliver H. Hicks, President,	New-York,	8,000	
Joseph Leo Wolf,	do	1,250	1,250
Caleb Braintnell,	Connecticut,	.....	6,875
A. B. Hays, Cashier,	New-York,	3,875	
Samuel G. Wheeler,	do	2,500	2,500
N. Y. State Marine Ins. co.	do	2,500	
J. G. Blauvelt,	Unknown,	400	400
Ralph Demarest,	do	300	300
Pacific Insurance co.	New-York,	10,000	
Oliver H. Jones,	do	1,500	1,500
Mary Terry,	Unknown,	1,000	1,000
Uriah Tracy,	Norwich, Ct.	.....	1,325
William Leffingwell,	New-Haven,	.....	3,975
Joseph Henriques,	New-York,	2,000	2,000
Seixas Nathan,	do	2,500	2,500
John Clapp,	do	5,000	3,900
Marius Panon,	do	2,500	
E. D. Brown,	do	.....	1,250
Geo. Downing,	do	750	
		$200,000	$200,000

GREENWICH BANK.

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
George Allan,	New-York,	$450	$450
Cors. Ackerman,	do	250	250
S. & M. Allen,	do	1,375	
Richard Amos,	do	1,000	1,000
David Baldwin,	do	100	
John Barton,	do	100	
F. C. Bassett,	do	1,250	1,250
Joseph W. Beadle,	do	750	875
Thos. M. Bleakley,	do	250	250
Andrew Bell,	Perth Amboy,	2,500	2,500
Joseph Brandon,	New-York,	3,370	1,875
Ann A. Bridge,	do	2,500	
M. Brown & E. Liddesdale,	Scotland,	.....	2,350
Giles Buckingham,	Connecticut,	1,000	1,000
Charles C. Buxton,	New-York,	250	250
John Bolton, President,	do	.....	5,000
Joshua Brooks,	do	1,500	1,500
William Bryan,	do	250	250
James Cameron,	do	250	
William Cahoon,	do	1,000	
William Cahoon, jr.	do	.....	1,000
Charles Carpenter,	.....	1,000	1,000
Canal Bank, of Albany,	Albany,	22,325	
Andronicus Cheesebrough,	New-York,	2,500	2,500
John C. Clarkson.	.....	.....	1,000
Richard Cromwell,	New-York,	750	750
Coster & Carpenter,	do	.....	11,350
Geo. S. Cock, trustee,	do	.....	825
Cushman & Falconer,	do	500	
Thomas Cummings,	do	875	875
John Devlin,	do	125	125
Lockwood De Forest,	do	500	500
Thomas W. Dick,	do	125	
Alanson Douglas,	Troy,	10,000	10,000
H. H. Elliott,	New-York,	250	
William H. Falls,	do	.....	1,250
William Ferdon,	Rockland,	.....	400
Russel Forsyth,	Albany,	2,500	2,500
Albert Gallatin,	New-York,	1,000	1,000
James Gallatin,	do	750	750
John Greacon,	do	3,625	
John Green,	do	.....	1,000
John Groshon,	do	.....	325
James Harriott,	do	500	500
Asa Hall,	do	500	500
Robert Holliday,	do	1,375	5,475
John A. Halsey,	New-Jersey,	1,000	1,750

GREENWICH BANK—(Continued.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
David Henriques,	New-York,	$750	$750
Philip Henry,	do	500	
Nathaniel Jarvis,	do	625	625
J. L. & S. Joseph & Co.	do	3,150	13,100
Eliza Kearney,	do	250	250
George Kinney,	do	1,000	1,000
Nancy Lay,	Connecticut,	.....	1,000
Helen Lansing,	Albany,	.....	175
Jane Lansing,	do	.....	175
R. M. Lawrence, President,	New-York,	1,050	1,050
Chas. L. Livingston,	do	250	1,000
John Limburger,	do	250	
Life Ins. and Trust Co.	do	.....	1,500
John Lozier,	do	250	250
A. Lockwood,	do	500	500
Richard Loines,	do	.....	250
Abraham Mason,	do	1,250	
John McGregor, jun.	do	1,500	
John T. McCoun,	Troy,	2,500	
John McIntyre,	Wash'ton co.	.....	1,000
William L. Morris,	New-York,	1,000	1,000
James Monroe, jun.	do	2,500	
Mordecai Myers,	do	500	500
Neptune Insurance Co.	do	.....	5,000
Rufus L. Nevins,	do	550	
William Newcomb,	do	100	100
N. Y. State Marine Ins. Co.	do	21,250	1,775
Timo. Nostrand,	Long Island,	950	950
Charles Oakley,	New-York,	1,250	250
Cons. Oakley,	do	500	250
H. A. Ovington,	do	500	
Joseph Otis,	do	.....	500
Frances Outwater,	Rockland,	.....	1,150
John Passenbronder,	New-York,	250	
John Perry,	Rockland,	.....	3,250
Nathaniel Prime,	New-York,	10,000	10,000
Moses S. Pike	do	500	500
Daniel Pierson,	do	100	
Stephen Potter,	do	250	
James Pollock,	do	500	
John Pollock,	do	500	
Eliza Randall,	do	200	200
Wm. C. Rhinelander,	do	2,500	20,250
George Riblet,	do	500	500
Morris Robinson,	do	2,250	
George P. Rogers,	do	8,950	4,950
Mary Yates,	do	500	500

GREENWICH BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832
John Rogers,	New-York,	$8,000	$7,500
James R. Sayre,	do	100	
Jno. R. Satterlee,	do	250	250
Charlotte Sasportas,	do	100	100
Maria Sammis,	do	275	275
Peter C. Smith,	do	250	
Moses Spurs,	do	500	500
Thomas Stokes,	do	5,000	2,000
Walter Stevenson,	do	1,925	1,925
George W. Taylor,	do	.....	500
George B. Thorp,	do	500	500
Ann Thomas,	do	.....	750
Benj. Tibbits,	Albany,	4,375	4,375
Tileston & Hudson,	New-York,	250	
Daniel S. Thorne,	do	500	500
Esther Turner,	do	200	200
Eliza Turner,	do	300	300
Jas. Van Schoonhoven,	Troy,	5,000	5,000
Wm. L. Vandervoort,	New-York,	250	250
John Van Boskuck,	do	250	250
S. L. Viele,	Fort Miller,	250	
Samuel Walker.	New-York,	500	
Elizabeth Winter,	do	.....	1,200
John Ward & Co.	do	2,500	3,500
James N. Wells,	do	450	950
Lewis Webb,	do	500	500
Charlotte White,	do	4,000	5,000
Albert Whittemore,	do	250	250
Timothy Whittemore,	do	2,500	2,500
Samuel Whittemore,	do	17,500	20,000
Thos. J. Whittemore,	do	1,050	
Elizabeth S. Wilcox,	do	200	200
Joseph Leo Wolf,	do	1,500	
Charles Yates,	do	500	500
do do trustee,	do	500	500
		$200,000	$200,000

NATIONAL BANK.

NAMES OF STOCKHOLDERS	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Henry Andrew,	New-York,	$20,000	$25,000
S. & M. Allen,	do	5,000	
Gilbert Allen,	do	1,000	

NATIONAL BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1881.	Amount 1 Sept 1882.
John Jacob Astor,	New-York,	$60,000	$70,800
Wm. B. Astor,	do	15,000	16,100
Benjamin Bailey,	do	5,000	5,000
Ab'm Bloodgood,	do	11,500	3,500
Wm. A. Bloodgood,	do	1,000	
Jas. W. Bleecker,	do	1,450	
John M. Bloodgood,	do	1,000	
James Bryan,	do	2,750	1,750
Hendrick Booraem,	do	1,000	
J. D. Beers & Co.,	do	300	
Burns & Halliburton,	do	2,000	
Bailey and Holmes,	do	1,000	
J. & A. Brown & Co.,	do	2,000	
Henry Belden,	do	3,000	
Levi Beardsley,	Cherry-Val'y,	3,000	
Oliver Besly,	New-York,	500	
John Craig,	do	2,500	
John Chambers,	do	2,500	3,750
Anthony C. Casenore,	Alexandria,	2,000	2,000
George S. Corbett,	New-York,	2,500	
Ramsay Crooks,	do	4,000	4,000
Wm. H. Carroll,	do	4,300	
Crumby & Draper,	do	1,000	
Lewis Curtis,	do	1,000	
Edw'd A. Corlies,	do	1,000	1,000
Jacob Corlies,	do		
Albert Chrystie,	Newburgh,	1,250	1,200
Anthony H. Creagh,	New-York,	3,050	
Sam'l Downer, jr.,	do	2,000	
Elkanah Doolittle,	do	2,500	2,500
De Rham, Iselin & Moore,	do	1,500	1,500
Martha Wilson,	do	500	500
Robert Dyson,	do	1,000	
Edw'd Eccleston,	do	1,250	1,250
John Flack,	do	14,600	2,750
C. W. Faber,	do	1,500	
Albert Gallatin,	do	8,000	8,000
James Gallatin,	do	4,000	
Albert R. Gallatin,	do	5,000	
Seth Grosvenor,	do	5,000	1,500
Edw'd M. Greenway,	do	1,250	
Greenough & Brinckerhoff,	do	1,750	
John Greacen,	do	3,000	
Charles Hall,	do	1,000	2,500
L. C. & T. Hanursly,	do	5,000	5,000
Robert Hutton,	do	500	
Hoyt & Lord,	do	1,000	

NATIONAL BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
N. T. Hubbard & Co,.....	New-York, ..	$1,250	
Caleb Hopkins,.....	Catskill,.....	1,500	
Wm. James, jr.,.....	New-York,..	11,000	$2,450
Daniel Jackson,.....	do	12,500	2,350
Wm. James, ...	Albany,.	10,000	10,000
Thos. Irving & Co.,.....	New-York,...	1,500	1,500
Chester Jennings,.....	do	5,000	
Kellogg & Baldwin,.....	do	1,000	1,000
Wm. Kyle,.....	do	1,250	1,250
Eleazer Lord,.....	do	10,000	
A. H. Lawrence & Co.,.....	do	1,750	
James Magee,.....	do	20,000	17,500
John Moorehead,.....	do	6,500	7,500
S. Mollan & Son,.....	do	2,500	2,500
Jas. Magee, Wm. James, jr., & John Flack,.....	do	2,500	
Ezekiel J. Moore,.....	do	1,000	
John McGregor, jr.,.....	do	1,500	1,500
Wm. McLeod, ...	do	5,000	5,000
Hannah McLeod,.....	do	1,000	1,000
Helen McLeod,.....	do	1,000	1,000
Elizabeth McLeod,.....	do	1,000	1,000
Wm. McKee,.....	do	1,500	1,500
John H. Mabbett,.....	do	2,000	
Richard McCarty,.	do	1,500	1,500
Jas. McAdam,.....	.....	250	
Maria Montgomery, ...	New-York, ..	1,500	1,500
Nevins & Townsend,.....	do	1,200	
Rufus L. Nevins,.....	do	300	
James Pierce,.....	Connecticut, .	1,000	1,000
Thaddeus Phelps & Co.,.....	New-York, ..	1,250	1,250
Thaddeus Phelps,.....	do	1,250	1,250
Prime, Ward, King & Co.,....	do	.....	3,500
Henry Rankin,.....	do	1,000	
Elisha Riggs,.....	do	5,000	5,000
John Rathbone, jr.,.....	do	1,500	1,500
Jane Roberts,.....	do	250	250
Daniel Rapilye,.....	do	.....	1,000
Morris Robinson,.....	do	8,750	
Randolph & Disossways, ...	do	1,000	1,000
Catharine Roberts,.....	do	250	250
Sam'l Reynolds,.....	do	1,250	
Thomas Suffern,.....	do	10,000	10,000
Byram K. Stephens,.....	do	10,000	10,000
Suydam, Jackson & Co.,.....	do	.....	
Wm. Sterling, ...	do	1,000	1,000
Daniel Sullivan,.....	do	1,500	1,500

NATIONAL BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Southmayd & Babcock,.....	New-York, ..	$1,000	
Asaph Stone,.....	do	2,500	
Scott & Leggett,.....	do	1,000	$1,000
Myndert Van Schaick,.....	do	2,500	
Dudley Selden,.....	do	3,950	2,250
James Tallmadge,.....	do	9,500	9,500
John Milhau,.....	do	2,000	2,600
Wm. W. Todd,.....	do	2,500	2,500
John Wilson,.....	do	25,000	2,500
John Ward & Co,.....	do	2,600	
N. & H. Weed & Co.,.....	do	2,500	2,500
C. & O. Wardell,.....	do	3,000	
John Webb, ...	do	1,000	1,000
Sam'l Wiswall,.....	do	1,000	1,000
Thos. Darling,.....	do	1,500	1,500
Joseph F. Darling,.....	do	500	500
Richard Varick, Morgan Lewis, & Lebbeus Loomis,.....	do	500	500
Sam'l Walker,.....	do	.....	1,350
Peter Bancalari,.....	do	2,600	
Thomas C. Lewis,.....	do	.....	1,000
Sam'l Ward,.....	do	.....	12,000
D. W. Kissam, jr.,.....	do	.....	2,500
Ab'm Bloodgood,.....	do	2,500	
Rev. Rob't Forrest,.....	Delaware co.,	400	400
Bartholomew Creah,.....	New-York,...	200	200
Henry I. Achmuty, ...	do	750	
John L. McGregor,.....	Campeachy,..	2,000	2,000
Robert H. Cummings,.....	New-York, ..	2,500	2,500
Nancy Lay, ...	Westchester,	.....	1,500
Adrian Onderdonk, ...	Berwick,. ...	700	
Mary Burrell,.....	.....	550	550
H. A. Ovington,.....	New-York, ..	500	
Thomas R. Smith,.....	do	500	
Henry Laight,.....	do	1,000	1,000
Nicholas Brewer,.....	do	.....	750
Henry Laight,.....	do	.....	500
Daniel Glover,.....	do	5,000	
Antoine Lentilhon,.....	do	5,250	5,250
Daniel Oakley,.....	do	1,000	
Amy Chapman,....		1,000	4,000
Joseph Bouchaud,.....	do	200	13,600
James D. L. Walton,.....	do	.....	4,000
Emily Moore,.....	....	.....	950
Jacob Reid,.....	.....	.....	3,500
Mabel Beutner,.....	.....	.....	1,000
Sarah Hollinbeck,.....	New-York, ..	.....	500

NATIONAL BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Samuel Watkins,	New-York,		$7,500
Hez. L. Wright,	Richmond, Va		2,500
Gallatin Brothers,	New-York,		4,000
Francis Nagel,	do		1,000
Edward Church,	Kentucky,		10,000
Francis E. Berger,	New-York,		2,500
Francis Hernandez,	Havana,		10,000
Abraham Tanner,	New-York,		2,400
Coster & Carpenter,	do		
Alexander Clark,	do		850
Soliman Abrahams,	do		3,500
A. Y. Nicoll,			3,000
Amede Boisabin,			2,200
Josiah Le Count,			600
Eugene Duchamp,	Martinique,		13,400
Thomas M. Huntington,	New-York,		300
Laville Duberceau,	New-Jersey,		3,250
F. & A. Brunel,	New-York,		2,000
Gabriel Fronti,	do		350
Jackson Marine Insurance co.	do		2,500
Chester Clark,	do		5,250
Neptune Insurance co.	do		25,000
Floyd T. Terris,	do		1,000
John Hancock,	do		700
J. F. Wilckens,	do		1,000
James McBride,	do	$5,000	5,000
Francis Nicholson,	do	1,000	1,000
George B. Fisk,	do	500	
De Launy, Lurcyt, Burgy & Co.	do		1,000
John Griscom,	do	3,000	3,000
John Ferguson,	Baltimore,	10,000	10,000
Hannah Charming,		1,700	1,700
Col. E. Cutler,	U. S. Army,		2,000
Maitland, Kennedy & Co.	New-York,	3,000	
Wm. W. Boyd,	do		500
W. W. Boyd,	do		500
Wm. Bard,	do	13,000	1,000
Fidelia M. Creagh,	do	200	
James Bailey,	do		1,500
Samuel St. John,	do	10,000	5,000
David Graham,	do	2,500	
George Barrell,	do	2,000	
Mary Few,	do	1,250	500
Matilda Few,	do	1,250	500
George Keuny,	do	650	650
Wm. W. De Forest,	do	1,100	1,100
Norman Peck,	do	1,000	4,750

NATIONAL BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Jonathan Coit,	Connecticut,	.....	$5,000
Ludlow Dashwood,	New-York,	$2,650	2,650
Cecilia G. Lewis,	do	.....	400
Emma F. Lewis,	do	.....	1,050
John Hunter,	do	.....	8,300
Eben. Platt jun.	do	1,000	1,000
Louisa C. Booth,	do	1,000	1,000
Martin Hoffman,	do	250	
Harvey Weed,	do	3,750	3,750
John Slidell,	do	8,750	17,000
Nathaniel Weed,	do	2,500	2,500
E. M. Morgan,	Connecticut,	5,000	
J. M. Scott McKnight,	New-York,	1,000	2,000
Wm. W. Boyd,	do	500	500
Thomas Hamersly,	do	4,500	4,500
Richard W. Hart,	Connecticut,	.....	7,500
Andrew S. Norwood,	New-York,	1,250	6,250
James Lovett,	do	5,250	
John Fleming,	do	1,250	13,500
Eliza Harvey,	do	.....	1,350
Benj. K. Hobart,	do	.....	1,000
George Ireland,	do	1,250	
Henry Saunders,	U. S. Army,	.....	1,150
Robert Battersby,	.....	.....	4,000
John T. Fisher,	New-York,	200	
Michael Dyhers,	.....	2,750	
Russell Glover,	New-York,	.....	1,750
Coster & Carpenter,	do	50,050	500
Joseph Leo Wolf,	do	2,500	
Carrit Williamson,	Clarkstown,	500	500
Elizabeth Seaman,	New-York,	.....	500
Nathaniel Prime,	do	2,000	
Phebe Winthrop,	do	.....	200
John Greenwood,	do	.....	1,400
Wm. Havemeyer,	do	.....	5,000
Henry I. Camann,	do	100	
Bobert Fleming,	Perthshire,	900	900
Henry Overing,	New-York,	5,000	5,000
Elias T. P. Gurney,	Ohio,	.....	2,350
N. Y. State Marine Ins. co.	New-York,	34,250	5,000
Morris Robinson,	do	.....	10,000
Luther Whitmore jun.	do	750	
Bache, McEvers and Adam Tredwell,	do	2,250	2,250
Washington Insurance co.	do	1,500	
Maltby Gelston,	do	.....	6,150
Charles Atwater,	New-Haven,	16,500	

NATIONAL BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
Francis Whitney,	New-York,	.....	$400
A. N. Gifford,	do	$5,000	
Wm. L. Lippincott,	.....	2,000	2,000
Elias H. Herrick,	New-York,	250	
Isaac Packard,	do	5,000	5,000
Wm. North,	New-London,	.....	3,100
Wm. W. Russell,	New-York,	7,000	
Edward R. Jones,	do	5,000	5,000
Wm. North,	New-London,	1,200	
Hugh Levinton Ball,	.....	5,700	5,700
Daniel C. Verplanck,	Dutchess co.	10,000	10,000
Boltis Moore,	New-York,	2,000	2,000
Eleazer Lord,	do	10,000	
John Watts,	do	.....	10,000
Gabriel Fronte,	do	2,250	2,250
Peter D. Vroom,	New-Jersey,	1,400	1,400
Zeum Dorrillard,	Guadaloupe,	5,300	5,300
James M. Gould,	New-York,	1,500	
John Henry,	do	300	
John Rathbone,	do	5,000	5,000
Peter Wyckoff,	do	.....	700
Wm. & John James,	do	50	
James Clinton Norton,	.....	3,750	3,750
J. Graham & G. Pott,	New-York,	1,500	
John R. Fenwick,	U. S. Army,	.....	1,500
Theodosius Fowler,	New-York,	.....	1,000
Michael Ulshoeffer,	do	.....	1,000
Ludlow Dashwood,	do	$1,250	
Walter Bicker,	do	100	
Mrs. Mary Terry,	.....	.....	4,200
Ezekiel Ostrander,	.....	.....	500
Walter Booth,	N. Milford, Ct	.....	500
James Magee & James M'Bride,	New-York,	.....	2,000
John Corrego,	do	.....	2,000
Wm. C. Brinckerhoff,	do	.....	650
Elizabeth Ludlow,	do	.....	1,150
Thomas Wells,	.....	.....	1,000
D. Rogers & Son, & Jas. Magee,	New-York,	.....	1,550
Sarah Pearce,	Connecticut,	.....	850
Mary Pearce,	do	.....	850
Jeremiah Sturges, President of Comer'l. Bank, at Southport,	.....	.....	9,900
Hannah Spencer,	New-York,	.....	400
Ebenezer Seely,	Connecticut,	.....	1,000
Lewis Gregory,	New-York,	.....	450
Sarah Griffiths,	do	.....	250
Catharine P. Chambers,	do	.....	350

NATIONAL BANK—(CONTINUED.)

NAMES OF STOCKHOLDERS.	Residence.	Amount 1 Sept. 1831.	Amount 1 Sept. 1832.
A. S. Wellington,	Charleston,	.....	$5,000
John Ravenel,	do	.....	3,500
The Society of the friendly sons of St. Patrick,	New-York,	.....	500
Wm. R. Thurston,	do	.....	11,400
Philip G. Pricleau,	Charleston,	.....	5,000
Edward Thebaud,	New-York,	.....	6,050
R. Whiley,	do	.....	11,150
		$750,000	$750,000

Statement of dividends of sundry banks for the year ending Sept. 1, 1832, and of the profits on hand on that day.

BANKS.	Capital.	Dividends for the year ending 1st Sept. 1832.	Profits on hand, 1st Sept. 1832.
Madison county bank,	$100,000	$5,000	$6,015 00
Bank of Oswego,	150,000	7,500	5,088 00
Onondaga county bank,	150,000	15,000	17,237 00
Ogdensburgh bank,	100,000	10,000	13,311 00
Montgomery county bank,	100,000	5,000	6,939 00
Otsego county bank,	100,000	9,000	1,739 00
Broome county bank,	100,000	4,000	6,791 00
Bank of Ithaca,	200,000	20,000	10,431 00
Yates county bank,	100,000	6,000	3,898 00
Wayne county bank,	100,000	14,000	9,671 00
Livingston county bank,	100,000	10,000	8,000 00
Bank of Monroe,	300,000	30,000	23,506 00
Bank of Genesee,	100,000	10,000	13,309 00
Lockport bank,	100,000	13,000	4,310 00
Bank of Buffalo,	200,000	8,000	7,301 00
Chautauque county bank,	100,000	6,000	2,865 00
Saratoga county bank,	100,000	9,000	7,348 00
Bank of Whitehall,	100,000	4,500	4,474 00
Merchants' and Mechanics' bank,	300,000	24,000	16,429 00
Canal bank,	300,000	21,000	15,923 00
Hudson river bank,	150,000	18,000	* 00
Tanners' bank,	100,000	4,500	4,447 00
Ulster county bank,	100,000	3,500	342 00
Bank of Poughkeepsie,	100,000	9,000	5,099 00
Greenwich bank,	200,000	13,160	5,477 00
Mechanics' and Traders' bank,	200,000	14,000	7,442 00
Butchers' and Drovers' bank,	300,000	21,000	8,798 00
Merchants' exchange bank,	750,000	26,250	20,894 93
National bank,	750,000	22,500	43,597 10

* The Hudson river bank divided its whole surplus this year in consequence of increasing its capital.

No. 90.

IN ASSEMBLY,

February 4, 1833.

REPORT

Of the select committee on the memorial of the mayor, aldermen and commonalty of the city of New-York, relative to a public square in said city.

Mr. Ostrander, from the select committee to whom was referred the memorial of the mayor, aldermen and commonalty of the city of New-York for a law to establish a public square or place in the eleventh ward of said city,

REPORTED:

That they have had the subject referred to them under consideration. The memorialists represent that the owners of real estate, and inhabitants residing in the eleventh ward of said city, have made application to the memorialists to have a public square or place laid out and established in said ward.

The memorialists further represent that they are desirous that such improvement should be adopted for the future comfort and health of that part of the city, and that the ground should be appropriated and the improvement carried into effect before any buildings should be erected thereon; and as the proposed improvement comes within that part of the city laid out by commissioners appointed by an act passed in 1807, it becomes necessary, therefore, to pass a law authorizing the memorialists to carry the above proposed improvement into effect.

Your committee are of opinion, upon due consideration of the facts set forth, that the prayer of the petitioners is reasonable, and ought to be granted, and ask leave to introduce a bill.

No. 91.

IN ASSEMBLY,

January 21, 1833.

ANNUAL REPORT

Of Isaac Leonard, an Inspector of Sole Leather for the county of Monroe.

To the Honorable the Legislature of the State of New-York.

The inspector of sole leather for the county of Monroe, in the State of New-York, respectfully reports, that during the year ending on the 31st day of December, 1832, I have inspected within the said county, viz:

4,392	sides good,	weighing	65,756	lbs. at	20 cts.	per lb.	$13,151 20
381	" damaged	"	5,108	"	16	"	817 28
4,773	sides.		70,864	lbs.			$13,968 48

The amount of fees received by me for services as inspector, at 4 cents per side, is $190.42.

I would further report, that I am not at present in possession of any information that would tend to the improvement of the quality or increase the quantity of the article subject to my inspection.

Respectfully submitted this 15 day of Jan. 1833.

ISAAC LEONARD.

Inspector of sole leather.

No. 92.

IN ASSEMBLY,

January 21, 1833.

ANNUAL REPORT

Of Peter Conrey, an Inspector of Lumber in the city of New-York.

Returns of lumber inspected and measured by Peter Conrey, for the city and county of New-York, from the 1st January, 1832, to the 1st January, 1833.

Feet.		*Fees.*
654,815	mahogany, sold from 5 to 60 cents per foot, .	$654 81
98,690	Spanish cedar, " 5 to 7 " " .	98 69
27,874	whitewood boards and plank, $16 per M. ...	11 20
19,420	oak plank and boards, from $20 to $25 per M.	7 38
24,494	scantling, at $15 per M.....	9 14
49,911	cedar boards for boat builders, at $25 per M.	18 59
4,727	white holly for cabinet makers, at 8 cts. per ft.	4 72
10,886	cherry boards and plank, at $25 per M.....	4 12
5,791	curl maple boards and plank, at 3 cts. per ft.	2 15
1,068	ash plank, inch meas. from 2 to 2½ cts. per ft.	0 40
40,879	measured pine b'ds. and plank, at $12 per M.	10 22
140,566	measured and inspected pine boards and plank, at $15 per M.....	50 20
59,888	pine timber sawed for beams, &c. at $15 pr M.	14 97
1,139,009	total amount feet.	Total fees, $886 59

PETER CONREY,
Inspector.

No. 93.

IN ASSEMBLY,

January 21, 1833.

ANNUAL REPORT

Of Isaac P. Hand, an Inspector of Lumber in the city of Albany.

In compliance with an act of this State, regulating the inspection of lumber, the subscriber, an inspector of lumber in the city and county of Albany, respectfully submits the following annual statement of quantity and quality, together with the average prices sold at, the same ending 31st December, 1832.

5,469	feet	oak boards and plank.		
2,763	"	1st quality basswood plank, ...	$30 00	per M.
6,498	"	2d " "	15 00	"
36,778	"	basswood boards and plank, ...	8 00	"
16,094	"	cherry, ...	26 00	"
10,069	"	maple, ...	15 00	"
50,508	"	1st quality whitewood plank, ...	43 00	"
86,040	"	2d " "	22 00	"
450,012	"	whitewood boards, ...	12 00	"
96,510	"	" joist and columns, ...	12 50	"
94,652	"	ash boards and plank, ...	14 00	"
48,967	"	1st quality pine boards and plank, ..	28 00	"
119,034	"	2d " " " ..	20 00	"
175,356	"	3d " " " ..	15 00	"
637,423	"	4th " " " ..	10 00	"
99,798	"	beam timber, ...	9 00	"
210,103	"	pine box boards, ...	9 00	"

Fees, ... $765 00

ISAAC P. HAND.

Albany, January 21st, 1833.

No. 94.

IN ASSEMBLY,

January 22, 1833.

ANNUAL REPORT

Of Henry Salsbury, an Inspector of Lumber in the city of Albany.

To the Honorable the Legislature of the State of New-York, in Senate and Assembly convened:

The undersigned, one of the inspectors of lumber in and for the city and county of Albany, respectfully reports, that he has measured and inspected, during the current year of 1832, the following lumber.

135,936	feet	clear pine boards, average price,	$30	00	per M.
395,515	"	2d quality pine boards,	20	00	"
259,163	"	3d " "	15	00	"
2,407,800	"	4th " "	11	00	"
56,874	"	cherry boards,	30	00	"
567,507	"	whitewood boards,	13	50	"
194,138	"	1st quality chair plank,	34	00	"
81,316	"	2d " "	20	00	"
26,954	"	basswood boards,	7	00	"
109,593	"	beam timber,	11	00	"
11,023	"	oak plank,	20	00	"
9,712	"	maple joist and boards,	12	00	"
4,255,531	feet.				

Also 18,938 feet square pine timber, cubic measure, at 12½ cents.
2,547 " " oak " " " 20 "

21,485 feet, total.

HENRY SALSBURY,
Inspector.

No. 95.

IN ASSEMBLY,

January 22, 1833.

ANNUAL REPORT

Of Abraham A. Slover, an Inspector of Lumber in the city of New-York.

Returns of lumber inspected by the subscriber during the year 1832.

14,345	feet	ash, inch measure, worth		$20	per M.
18,661	"	oak, " "		22	"
796,378	"	pine boards, ...	$11 to	14	"
51,605	"	¼ inch whitewood,.....	15	20	"
32,043	"	maple, inch measure, ...	15	20	"
2,051	"	beach, "	30	40	"
20,000	"	cherry, "	30	35	"
7,045	"	black walnut, ...		30	"
3,540	"	¼ inch basswood boards,.....	8	10	"
693,102	"	mahogany worth from 7 to 45 cts. per superficial ft.			
25,497	"	Spanish cedar, " 5 to 7 " "			

Amount of earnings, ... $975 17

ABRAHAM A. SLOVER.

New-York, January 17, 1833.

No. 96.

IN ASSEMBLY,

January 22, 1833.

ANNUAL REPORT

Of W. P. Lansing, an Inspector of Lumber of the town of Watervliet, in the county of Albany.

To the Honorable the Legislature of the State of New-York.

Measured and inspected in the town of Watervliet, county of Albany, the following lots of lumber and timber, 358,287 feet of boards and plank, 24,191 cubic feet of oak and pine timber.

Fees,..... $137 83

W. P. LANSING,
Inspector.

No. 97.

IN ASSEMBLY,

January 23, 1833.

REPORT

Of the committee on the judiciary, on the petition of Nathaniel Winslow.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of Nathaniel Winslow, praying for a divorce from his wife Electa Winslow,

REPORTED:

That the petitioner states that he was married in 1818, to the said Electa, and that she has borne him four children; but the petitioner says that the said Electa, since November, 1829, has refused to permit him to have sexual intercourse with her, and that her conduct in other respects has been outrageous. But he does not mention any instance of bad conduct on the part of his wife, other than that above stated. It appears from an affidavit accompanying the petition, that the said Electa puts her said refusal on the ground that sexual intercourse is inconsistent with holiness of heart. If a divorce should be granted by the Legislature in this case, it would, in the opinion of your committee, open wide the door for applications of this nature, and would subvert the established policy of this State. Your committee deem it their duty not to present this subject further in detail, either by a statement of facts or by argument. They therefore respectfully recommend that the petitioner have leave to withdraw his petition.

No. 98.

IN ASSEMBLY,

February 7, 1833.

REPORT

Of the committee appointed on that part of the Governor's message which relates to lotteries.

Mr. Herttell, from the committee to whom was referred so much of the Governor's message as relates to lotteries, and also the report of the Attorney-General on the same subject,

REPORTED:

That they have had the matter referred to them under mature consideration, and have examined, with much attention, the report of the Attorney-General, made during the present sesion, and also the report made by the same officer, on the same subject, to the Legislature last year; and have considered the subject particularly with reference to the *time* when the drawing of lotteries ought, agreeably to the constitution and laws of this State, to be brought to a close.

That, in the opinion of your committee, the raising of revenue, through the machinery of lotteries, is an evil fraught with much mischief to the community, and which ought to be remedied, as soon as it can be done consistently with due regard to the public faith and the vested rights of individuals, are truths which probably will not be questioned by any one whose mind has been duly exercised on that subject.

The first question which presents itself for consideration and decision, is *that* of the constitutionality of the several laws authorising lottery grants and lottery contracts.

Secondly: At what time, pursuant to the constitution and constitutional laws, ought lotteries to cease in this State?

Both these questions, and all material matter relating to them, appear to have been duly considered and thoroughly investigated by the Attorney-General: and the facts stated, and the reasoning on them, contained in his said several reports, are deemed by your committee so clear and conclusive as to leave on their mind not the least doubt, that the laws under which the lottery system has been conducted in this State are strictly constitutional.

On the second question, viz.: "At what time, pursuant to the constitution and constitutional laws, ought lotteries in this State to cease?" your committee observe, that a very essential difference of opinion exists between the Attorney-General and the lottery contractors: the former holding that the time allowed by law for the drawing of lotteries, in this State, will expire on the twenty-first day of April, 1834, while the latter claim a right, by law, to continue the drawing of lotteries until the end of the year 1835.

In the view of your committee, if the parties interested should adhere exclusively to their respective and discordant views on the subject, it would exhibit a case somewhat of an anomalous character; and would tend rather to increase than to terminate or diminish the evils of the lottery system, by retarding its final termination.

The question of constitutional legislation, in which the vested rights of individuals derived from the State may be involved, and where the State is a party, should not be decided on extra-judicial examination, or by legislative enactments. If the Attorney-General and your committee should have entertained and stated as their opinion, that the laws under which the lottery contractors claim any vested rights are unconstitutional, nothing could be decided thereby; and, though both branches of the Legislature should concur in that opinion, and attempt to sustain it by legislative enactments, still the question would remain unsettled. The disputed rights and claims of the parties would yet be proper subjects for judicial investigation and decision. In the mean time the lotteries might progress, and the evil be continued and extended to the greatest length of time to which the lottery contractors claim a vested right under the constitutional laws of the State to continue them. And even if the contractors should ultimately be found and adjudged to be in error on the litigated questions, nothing essential could be gained by the judicial investigation; inasmuch as

the time claimed by the contractors might, and perhaps would expire, and the lotteries, in pursuance of the views and opinions of the said contractors, cease to be drawn before a judicial decision could be had, should the contractors be disposed to engage in a protracted defence of their alleged rights.

But fortunately the spirit of candor and conciliation manifested on the part of the lottery contractors is such, as not only to preclude any idea of a resort to such measures, and also any fear or danger of the results just hypothetically adverted to, but also to render the cor'rariety of opinion between the Attorney-General and the lottery contractors, as to the *time* when the lotteries in this State ought to be terminated, perfectly immaterial: the said contractors having voluntarily proposed to enter into any engagement with the State which may be deemed satisfactory, not to continue the drawing of any lotteries, nor any lottery operations in this State, beyond the thirty-first day of December next.

This proposition, if acceded to on the part of the State, seems, in the opinion of your committee, to preclude altogether any further discussion as to the time when the drawing of lotteries, in this State, should cease: inasmuch as the period proposed by the contractors, for the final close of the lottery system, in this State, is nearly four months within the time conceded by the Attorney-General that the contractors have an unquestionable right to extend them.

Deeming the aforesaid proposition of the lottery contractors both reasonable and liberal, and believing that the Legislature will accede to it, in a spirit corresponding with that in which it was made; and also, with a view to facilitate the consummation of so important and beneficial an arrangement, your committee have obtained, from the said contractors, the written instrument accompanying this report, approved by the Attorney-General, embracing the stipulations above detailed, and duly executed by the said contractors and others interested in the lottery contracts.

Your committee have, therefore, no hesitation respectfully to recommend to the Legislature the adoption of the proposed arragement, as the best means by which to put at rest all questions involving the legal and vested rights of individuals, in the matter under consideration; to merge all difference of opinion, in regard to the time when lotteries, in this State ought legally to be done

away; to fix definitively the period, beyond which no lottery shall be allowed in this State; and thus, ultimately, to rid the community of the evils consequent on the lottery system, in a much shorter time than that object could be attained by any other means than an amicable arrangement.

Your committee, therefore, in anticipation of so desirable a result, have directed their chairman to prepare a bill, adapted to the contemplated purpose, and to ask leave to present the same for the consideration and concurrence of the Legislature.

All which is respectfully submitted.

THOS. HERTTELL, *Chairman.*

No. 99.

IN ASSEMBLY,

February 8, 1833.

REPORT

Of the Attorney-General, on the petition of Jeffrey Chipman.

The Attorney-General, to whom was referred, by the Assembly, the petition of Jeffrey Chipman, respectfully submits the following

REPORT:

From the petition, and the accompanying certificate of the clerk of the county of Ontario, it appears, that at the annual town meeting in the town of Canandaigua, held on the third day of April, 1832, Henry Chapin, then an incumbent of the office of justice of the peace, Augustine Sackett and Jeffrey Chipman, (the petitioner,) were elected justices of the peace. On the fourteenth day of the same month, the classes to which the persons elected respectively belonged, were determined by lot, pursuant to the statute. 1 R. S. 112, sec. 46. The result of the balloting was, that the petitioner should hold the office four years, and that Sackett and Chapin should have the shorter terms belonging to the two vacancies, of which Chapin drew the shortest of the two. On the sixteenth of April Chapin took the oath of office, in pursuance of his classification, to fill a vacancy. The petitioner represents that in consequence of the act "To provide for the classification of certain justices of the peace," passed April 26, 1832, doubts are entertained about his right to hold the office. And he prays an explanatory law, saving the rights which he had acquired, before the act of 1832 was passed.

The fifth section of the act of 1832 contains the only provision affecting this question, and is the following words: "Where two or more persons have been, at the last election, elected to the of-

fice of justice of the peace, the one of whom is the incumbent in the office whose term has not yet expired, the incumbent shall be considered as elected for four years from the first day of January thereafter, and the other person or persons shall be considered as elected to fill the vacancy or vacancies; and if they have not already drawn and qualified, according to law, shall be permitted to do so within twenty days after the passage of this act."

In the opinion of the Attorney-General this section ought to be so construed as to apply only to those cases where persons had previously been elected to the office of justice of the peace, but had not then been classified pursuant to law. On a different construction, the provision would be subject to a constitutional objection, which could not be surmounted.

If this opinion is well founded, the rights of the petitioner are perfect, and no legislation concerning them is necessary.

Reespectfully submitted,

GREENE C. BRONSON, *Att'y. Gen.*

February 7, 1833.

Note. Although the petition appears to have been referred on the 18th of January, it was not received by the Attorney-General until this day.

No. 100.

IN ASSEMBLY,

February 7, 1833.

REPORT

Of the select committee, on the petition of the board of supervisors of the county of Herkimer.

Mr. Burwell, from the select committee to whom was referred th petition of a committee of the board of supervisors of the county of Herkimer, for the passage of an act authorising the construction of a new jail in said county, and for repairing the present court-house,

REPORTED:

That the court-house and jail of said county are connected and in the same building, which is of wood, and has been used for upwards of thirty years as a court-house and jail: that the jail is unsafe as a prison, and the court-house obnoxious, from the foul air of the prison; and the prison rooms are so constructed as wholly to defeat the present wise and salutary provisions of the law relative to the punishment and discipline of convicts in county prisons.

Your committee are of opinion that a new jail is necessary, and that said court-house should be repaired: they therefore ask leave to introduce a bill for that purpose.

No. 101.

IN ASSEMBLY,

January 23, 1833.

REPORT

Of the committee on the incorporation of charitable and religious societies, on the petition of the trustees of the Baptist Church and Societies of the towns of Lewiston and Porter in the county of Niagara.

Mr. Downing, from the committee on the incorporation of charitable and religious societies, to which was referred the petition of the trustees of the Baptist church and societies of the towns of Lewiston and Porter in the county of Niagara, for a law authorising them to sell their real estate,

REPORTED:

That it appears by the representations of the petitioners, that they, as trustees of the Baptist Church and Society of the towns of Lewiston and Porter in the county of Niagara, are possessed of one hundred acres of land, on the east part of lot number 50, in the eighth range and fifteenth township, as designated on said surveys of land; that the location of the said lot of land is such as to render it almost entirely useless to said Society; and therefore ask that a law may be passed, authorising the sale of the said lot, and that the avails of said sale may be applied to the use of said Society. The petitioners further represent that they have agreed to sell the said lot, and had purchased other land, embracing the same object of supporting the gospel.

The committee, on examination of the laws on the subject of religious incorporations, find that the 11th section of the act to provide for the incorporation of religious societies, (3d vol. Revised Statutes, page 298,) in the opinion of your committee, provides

fully for all cases where it may be necessary or proper for a religious incorporation to sell its real estate.

The said 11th section states, "That it shall be lawful for the chancellor of this State, upon application of any religious incorporation, in case he shall deem it proper, to make an order for the sale of any real estate belonging to such corporation; and to direct the application of the monies arising therefrom, by the said corporation, to such uses as the same corporation, with the consent and approbation of the chancellor, shall conceive to be most for the interest of the society to which the real estate so sold did belong."

If the above recited section of the present laws of our State provides fully for the prayer of the present petitioners, and also for those of a similar character, it cannot be necessary or proper that we should legislate upon the subject.

Your committee therefore beg leave to offer the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

No. 102.

IN ASSEMBLY,

January 24, 1833.

REPORT

Of the committee on claims, on the petition of Zachariah Dodds.

Mr. Russell, from the committee on claims, to which was referred the petition of Zachariah Dodds, a soldier of the revolution, praying a compensation for services rendered during the revolutionary war,

REPORTED:

The petitioner alleges that he enlisted into the service of this State in the spring of 1776, as a batteau man, under the command of Capt. John Tittman of Albany; and was employed in working batteaus on Lake George, for the purpose of transporting military stores for the use of the American army then lying at the north; and continued in said service nine months, at the rate of ten dollars per month: And that in the spring of 1777, he again enlisted into said service, under Capt. Van Every, also of Albany; and was for other nine months employed in the transportation of military stores from Albany to Fort Edward on the Hudson river, at the like rate of ten dollars per month: For which said services he has received no "*adequate*" compensation, and asks remuneration therefor from the State.

The committee are aware, that when a claim against the State is fully and clearly established, the lapse of time alone forms no justifiable reason for avoiding the payment thereof; but when, as in this case, more than half a century has passed away, and such as might reasonably be presumed to have had a knowledge of the circumstances under which the claim originally might have been made, according to the ordinary course of nature must have de-

scended to the tomb, the lapse of time may well be regarded as a circumstance which should induce vigilance and scrutiny into the claim presented. According to ordinary calculation, two successive generations must have passed away since this claim existed (if indeed it ever did) against the State; and yet no effort is made to obtain it, until the presentation of the petition to the present Legislature. From this lapse of time, indulging the ordinary legal presumption, it must have been long since extinguished; and this idea is strengthened by the peculiar phraseology of the petition. The expression in the petition is, that the petitioner has "received no adequate compensation for his said services." This language plainly implies that some compensation has been received; and it may with great propriety be asked how much? If he has received all but a single dollar, the allegation in his petition is fully sustained—his compensation in that case has not been equal to his service. And if the committee were of the opinion that the petitioner was otherwise entitled to relief, he furnishes no criterion by which to regulate the amount.

The committee have searched the returns and registers, where the names of the soldiers of the revolution, serving in the line of this State, are generally to be found, and do not find there the name of the petitioner; and although it may be that he served in the manner described, notwithstanding his name is not to be found with those of his companions, yet when he seeks to obtain compensation for such service in the absence of that evidence which is usually adduced, it appears reasonable to the committee that he should be held to the necessity of establishing his claim by some other evidence than his own individual testimony.

But the idea advanced by the petitioner is, that he was in the service of this State while he was transporting military stores for the use of the army of the United States. If it were so, and the views herein before taken of the petitioner's claim are tenable, obstacles are presented which it would be difficult for the petitioner to overcome. But in the estimation of the committee, the said services were rendered for the Government of the United States; and that the petitioner should seek compensation from that government, rather than from that of this State.

In conformity with these views, the committee have instructed their chairman to offer for the consideration of the House the following resolution:

Resolved, That the prayer of the petitioner ought not to be granted.

No. 103.

IN ASSEMBLY,

January 24, 1833.

REPORT

Of the committee on public lands, on the petition of Acklin Gordon.

Mr. Mabee, from the committee on public lands, to which was referred the petition of Acklin Gordon, for the passage of a law authorising the Surveyor-General to sell him lot number 126 in the village of Lewiston, county of Niagara,

REPORTED:

That from an examination of the Revised Statutes, he finds that the Commissioners of the Land-Office have the power to sell the lot in question, if they think proper; and from the annexed extract from the minutes of the said Commissioners, they have directed a sale of the premises in question on a re-appraisement.

The committee deem no further legislation necessary on the subject, and therefore recommend that the petitioner have leave to withdraw his petition.

No. 104.

IN ASSEMBLY,

January 24, 1833.

REPORT

Of the select committee, on the engrossed bill from the Senate, entitled "An act authorising the supervisors of the county of Jefferson to sell and convey the poor-house lot and establishment in said county, and for other purposes."

Mr. Angel, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act authorising the supervisors of the county of Jefferson to sell and convey the poor-house lot and establishment, and for other purposes,"

REPORTED:

The committee have carefully examined the provisions of said bill, together with the accompanying petition of the supervisors of the county of Jefferson, stating that the location of the poor-house farm is a very improper one; that the buildings thereon are altogether inadequate for the object for which they were erected; and that it has become necessary, for the interests of the county, to expend a large sum of money in erecting suitable and sufficient buildings for the accommodation of the paupers of said county, either upon the present farm, or upon some other place to be purchased by said supervisors for that object. The committee are of opinion that the objects of the bill are to improve the condition of the pauper, and lessen the charge upon the people of that county for their maintenance, and the provisions such as can safely be entrusted to the supervisors of the county; they therefore recommend that it pass to a third reading, and become a law.

No. 105.

IN ASSEMBLY,

January 24, 1833.

ANNUAL REPORT

Of Ebenezer Robbins, an Inspector of Beef and Pork in the town of Western, county of Oneida.

To the Honorable the Legislature of the State of New-York.

I, Ebenezer Robbins, an inspector of beef and pork in the town of Western, in the county of Oneida, in conformity with the statute, do certify and report, that the quantity and quality of the beef and pork inspected by me, during the year ending on the date thereof, and the probable value of the same, is as follows, to wit:

117	barrels mess pork, at.....	$12 50	$1,462 50
163	" prime pork, ...	9 50	1,548 50
99	" mess beef,.....	7 50	742 50
259	" prime beef,.....	5 00	1,295 00
1	half barrel mess beef,.....	4 00	4 00

The fees for inspecting being fixed by law at 15 cents per barrel, and 10 cents per half barrel, amounts to $95.80.

All which is respectfully submitted.

E. ROBBINS.

Western, January 1st, 1833.

No. 106.

IN ASSEMBLY,

January 26, 1833.

ANNUAL REPORT

Of Jeffrey Hand, an Inspector of Lumber in the city of New-York.

To the Honorable the Legislature of the State of New-York, in Senate and Assembly convened:

Agreeable to the Revised Statutes, I beg leave to transmit to your Honorable Body, my annual report of lumber inspected and measured by me from January 1st, 1832, to January 1st, 1833.

150,436	feet	merchantable, at $15 per M,
51,786	"	refuse, at $7 50 per M.
202,222	"	total eastern pine timber.
240,037	feet	merchantable, at $13 per M.
65,274	"	refuse, at $6 50 per M.
305,311	"	total spruce timber.
146,400	feet	merchantable at $15 per M.
35,504	"	refuse, at $7 50 per M.
181,904	"	total eastern boards.
61,121	feet	merchantable, at $12 per M.
20,406	"	refuse, at $6 per M.
81,527	"	total sheathing boards.
120,200	feet	merchantable, at $30 per M.
23,560	"	refuse, at $20 per M.
143,760	"	total yellow pine.

50,108	feet	merchantable, at $30 per M.
121,472	"	refuse, at $15 per M.
171,580	"	total Albany lumber.
73,100	feet	whitewood, at $28 per M.
20,240	"	ash, at $24 per M.
50,300	"	oak, merchantable, at $22 per M.
18,030	"	oak, refuse, at $11 per M.
35,359	feet	merchantable.
12,723	"	refuse.
48,082	"	total cedar boards.
230,000	cypress shingles, at $3 50.	
12,670	inches spruce spars.	
166	tons white and yellow pine timber.	
28	" " " "	refuse.
727	C. feet, 18 tons locust timber.	
750	locust posts.	
8,000	feet miscellaneous lumber.	

Total amount of fees, ... $557 18.

JEFFRY HAND.

No. 107.

IN ASSEMBLY,

February 9, 1833.

PREAMBLE AND RESOLUTION

Offered by Mr. Stilwell, relative to an amendment to the Constitution.

Whereas great diversity of opinion exists relative to the powers of the General Government: And whereas serious and important objections are urged against submitting questions involving the rights of the States to any tribunal known to the laws and Constitution of the United States: And whereas it is a matter of vital importance to the welfare of the Union that all questions which involve important constitutional principles, and are liable to be made a source of complaint and crimination on the part of the States, should be subject to the cognizance and final decision of some competent and constitutional tribunal: Therefore,

Resolved, That a select committee be appointed, whose duty it shall be to inquire into the expediency of proposing such an amendment to the Constitution of the United States as will authorise the establishment of a tribunal, to be styled the Supreme Court of Appeals of the United States of America, to be composed of twenty-five judges, twenty-four of whom shall be the Chief Justices of the several States, and the last the Chief Justice of the United States, whose duty it shall be to meet once in each year to hear and adjudicate upon constitutional questions, and who shall have ultimate jurisdiction in all controversies between the General and State governments.

No. 108.

IN ASSEMBLY,

January 28, 1833.

ANNUAL REPORT

Of Henry Leek, John P. Haff and Isaac Sherwood, Inspectors of Sole Leather for the city and county of New-York.

We the undersigned, inspectors of sole leather for the city and county of New-York, agreeably to the requirements of the law, respectfully report, for the year eighteen hundred and thirty-two, that we have inspected sole leather, the number of sides, the quality, the average weight and the average value, as follows:

	Sides.	Average weight.		Average value.		
1 lot good stamp,	90,096	14 lbs.	1,261,344	19 cts.	$239,655	36
1 lot dam. & bad,	14,543	14 "	203,602	14 "	28,504	28
1 lot good & best,	94,567	15 "	1,418,505	19 "	269,515	95
1 lot dam. & bad,	16,247	14 "	227,458	14 "	31,814	12
1 lot good & best,	95,189	15 "	1,427,835	19 "	271,288	65
1 lot dam. & bad,	34,961	15 "	524,415	14 "	73,418	10
No. of sides,	345,603	weight,	5,063,159	am't.	$914,196	46

The amount of fees for inspecting 345,603 sides, at 2 cents per side, ... $6,912 06

The amount paid out for labor, ... 1,793 00

$5,119 06

This amount divided amongst three, leaves the fees for each, ... $1,706 35

All which is respectfully submitted.

HENRY LEEK,
JOHN P. HAFF,
ISAAC SHERWOOD.

New-York, January 24th, 1833.

No. 109.

IN ASSEMBLY,

January 26, 1833.

ANNUAL REPORT

Of Samuel Howell, an Inspector of Lumber in the city of New-York.

Return of the survey of lumber from 1st day of January, 1832, to 1st day of January, 1833, made by Samuel Howell.

			Sup. feet.	*Fees.*
Live oak timber,	3,114	cubic or	37,368	$38 93
Locust timber,	13,944	"	167,328	174 20
Oak timber,	19,582	"	234,984	122 29
Oak plank,			379,407	142 31
Southern yellow pine,			344,975	129 36
Hard wood, maple, and joist,			79,765	29 91
White pine boards and scantling,			312,165	78 05
Total,			1,555,983	$715 05

SAMUEL HOWELL,
Inspector.

No. 110.

IN ASSEMBLY,

January 28, 1833.

ANNUAL REPORT

Of Abraham Dally, Inspector-General of Domestic Distilled Spirits in the city and county of New-York.

To the Honorable the Legislature of the State of New-York.

A true and just return of the whole number of casks of domestic liquors guaged and proved in the city and county of New-York, with the number of gallons in proof liquor, from the 1st day of January, 1832, to the 1st day of January, 1833, agreeable to the monthly returns of the inspectors under oath.

Viz:	48,843	barrels.
	9,070	hogsheads.
	10,699	hogsheads and barrels proved.
	68,612	casks.

Gallons, 6,782,542.36 proof liquor.

ABRAHAM DALLY,
Inspector-General.

New-York, January 21, 1833.

No. 111.

IN ASSEMBLY,

January 25, 1833.

ANNUAL REPORT

Of William Barber, an Inspector of Beef and Pork in the town of Lee, county of Oneida.

To the Honorable the Legislature of the State of New-York.

I, William Barber, an inspector of beef and pork in the town of Lee, in the county of Oneida, in conformity with the statute, do certify and report, that the quantity and quality of the beef and pork inspected by me, during the year ending on the date hereof, and the probable value of the same, is as follows, to wit:

598	barrels of mess pork, at	$13 00	$7,774 00
635	" prime pork, ...	10 00	6,350 00
2	half barrels of mess pork, ...	7 00	14 00
144	barrels of mess beef, ...	7 50	1,080 00
311	" prime beef, ...	5 00	1,555 00
10	half barrels of mess beef, ...	4 00	40 00

The fees for inspecting being fixed by law at 15 cents per barrel, and 10 cents per half barrel, amounts to $254.40.

All which is respectfully submitted.

WILLIAM BARBER.

Lee, January 1st, 1833.

No. 112.

IN ASSEMBLY,

January 28, 1833.

ANNUAL REPORT

Of John I. Morris, an Inspector of Lumber in the city and county of New-York.

To the Honorable the Legislature of the State of New-York.

Schedule shewing the quantity, quality and value of lumber inspected by John I. Morris, inspector of lumber in and for the city and county of New-York, from the 1st day of January, to the 31st day of December, 1832, together with the fees for inspecting the same.

Clear pine boards and plank, ...	207,944	feet, at	$30	per M.
Mercht. " "	562,032	"	20	"
Seconds " "	261,296	"	15	"
Box boards,.....	1,408,595	"	10	"
Pine timber, ...	102,983	"	10	"
Whitewood boards, ...	244,498	"	14	"
Cherry boards, ...	33,453	"	25	"
Maple joist,.....	11,168	"	15	"
Merchantable whitewood plank, .	11,408	"	40	"
Seconds whitewood plank, ...	3,530	"	20	"
Oak plank,.....	27,795	"	15	"
Ash plank,.....	12,147	"	15	"
Total,.....	2,886,849 feet.			

The whole amount of fees for inspecting the same, is... $825 62

JOHN I. MORRIS,
Inspector.

No. 113.

IN ASSEMBLY,

February 8, 1833.

REPORT

Of the select committee, on the petition of the firemen of the village of Sandy-Hill, in the county of Washington.

Mr. C. Rogers from the select committee, to whom was referred the petition of the firemen of the village of Sandy-Hill, in the county of Washington, praying for an act of incorporation,

REPORTED:

That the village of Sandy-Hill was incorporated in 1810, and contains not far from a thousand inhabitants, and about one hundred and fifty houses, (including shops and stores,) arranged into streets in a close and compact manner. The buildings are chiefly wooden structures, and are peculiarly exposed to the destructive action of fires. After several severe visitations from fire, which the best exertions of the citizens were unable to arrest, a fire engine, together with the necessary apparatus, was purchased by the village, and an association of young men formed for the purpose of taking charge of it and of organizing a fire company to render efficient aid in time of need; but owing to the want of an act of incorporation, they have been unable to perfect their organization, or to combine sufficient energy and skill to render the important services desired. The petitioners represent that an act of incorporation, with the usual exemptions, would remedy this defect, and place their fire department in a sound condition and upon a permanent foundation.

The committee are of the opinion that the application is reasonable and warranted, not only by the present condition, but finds a sanction in the future prospects of the village.

The village of Sandy-Hill presents, with its immense water power derived from the Hudson, its elevated situation, its healthful character and unrivalled beauty, every inducement for the employment of capital and the residence of enterprise and wealth. And there can be little doubt, that in a few years its decided advantages will be sought after with avidity; its resources developed; a new impulse given to its prosperity, and that it will stand foremost among the active and spirited villages which now animate and adorn the banks of the *noble North*.

The committee ask leave to introduce a bill.

No. 114.

IN ASSEMBLY,

February 8, 1833.

REPORT

Of the Committee on the Judiciary, on the petition of Horace Bigelow, a Justice of the Peace of Oneida County.

The committee on the Judiciary, to whom was referred the petition of Horace Bigelow, a Justice of the Peace of the town of Sangerfield, in the county of Oneida,

REPORTED:

That by said petition it appears, that at the last annual town-meeting, held in said town in March last, the said petitioner and one Reuben Bacon, were respectively elected justices of the peace; that the said Reuben Bacon was then an incumbent, whose term of office would expire on the first day of January then next, and now last past; and that there was a vacancy in said town, occasioned by the resignation of Reuben Tower, Esq. That the supervisor of said town, supposing at first that the above were not cases in which it was required to draw by lot, did not notify said petitioner to appear and draw for the term of said office until the time in which said notice should have been given had expired; but a few days after, and before the act of 26th April, 1832, had passed, said supervisor did give notice, and the petitioner and the said Reuben Bacon met, and in determining by lot, the said Bacon, the then incumbent, drew the vacancy, and the said petitioner the term of four years. That on the first day of January last, your petitioner and the said Reuben Bacon were duly qualified, and took the oath of office as such justices of the peace: That it appears that the reason that said drawing did not take place within the time allowed, was no fault of the petitioner, but it was occasioned by the omission of the supervisor to give the notice. Upon examination of the whole subject,

your committee are of opinion, that the act requiring notice to be given within a certain number of days by the supervisor, is merely directory, and his omission to do his duty cannot, nor ought not, to take away the rights of your petitioner, nor defeat the wishes of the people who elected him; and as the drawing took place previous to the act of 26th April last, to prevent all doubt upon the subject, they have directed their chairman to report a bill, legalizing the acts of the said justices.

No. 115.

IN ASSEMBLY,

February 7, 1833.

MESSAGE

From the Governor, transmitting resolutions passed by the Legislatures of the States of Indiana, New-Hampshire, North-Carolina and Massachusetts.

To the Assembly.

GENTLEMEN,

I herewith transmit to you,

1st. A preamble and resolutions, passed by the Legislature of the State of Indiana, relative to the proceedings of a late convention of South-Carolina, and to the President's proclamation in relation thereto.

2d. A resolution of the State of New-Hampshire, approbatory of the President's message, on the bill to re-charter the bank of the United States, and of the measures generally of the present administration of the general government.

3d. Resolutions of the Legislature of North-Carolina, expressing their sentiments against the doctrine of nullification, as avowed by the State of South-Carolina, and recommending to their Senators and Representatives in Congress to use all constitutional means to adjust the controversy between the State of South-Carolina and the general government.

4th. Resolutions of the State of Massachusetts, in favor of protecting the domestic industry of the country, and against the bill now pending in Congress, relative to the tariff.

The proceedings above referred to, were transmitted to the Governor of this State, pursuant to a direction contained in them;

but they are not accompanied with any expressed request to have them laid before the Legislature.

I have, however, presumed that such a disposition of them was expected by the legislative bodies which directed them to be sent to me. I therefore submit them to your consideration.

W. L. MARCY.

February 5, 1833.

(No. I.)

Resolutions of Indiana.

A PREAMBLE AND JOINT RESOLUTIONS,

Relative to the proceedings of a late convention of South-Carolina, and to the President's proclamation in relation thereto.

WHEREAS, an unusual and alarming excitement prevails in the State of South-Carolina, on the subject of the tariff laws, awakened, as is believed, by a mistaken view of their constitutionality, and by exaggerated representations of their unequal operation; and whereas, heretical and dangerous doctrines have sprung up under the name of *nullification*, in which the constitutional right in a State, to render nugatory and resist the laws of the United States, and to secede from the Union, is boldly assumed; and whereas, a convention, delegated from a portion of the citizens of that State, has recently passed an ordinance, a copy of which, and of the report of a committee of said convention thereon, and of addresses to the people of the several States and of South-Carolina, transmitted by order of the said convention, through the Governor of that State to the Governor of Indiana, avowedly for the information of this Legislature, are now before the same; and whereas, we, the representatives of the people of Indiana, view the doctrines contained in those documents, as carrying with them internal evidence of their impracticability, absurdity, and treasonable tendency; and whereas, we regard the said ordinance, as prescribing to, and attempting to enforce upon the people of South-Carolina, "a course of conduct, in violation of their duty as citizens of the United States, contrary to the laws of their country, subversive of its constitution, and as having for its object the destruction of the Union," and as a necessary consequence, the prostration of our liberties: Therefore,

Resolved, by the General Assembly of the State of Indiana, that we deeply deplore the political heresies, and threatened disorganization, recently promulgated by a portion of our brethren of South-Carolina.

Resolved, That we cordially concur in the persuasive appeals of our venerable chief magistrate, to the people of South-Carolina, to pause ere it be too late to save themselves from ruin.

Resolved, That the sentiment, "our Union must be preserved," meets with a hearty response from the people of Indiana, bound as they are, by *interest* and *honor*, to that confederacy into which they voluntarily entered, and from which they will never willingly be severed.

Resolved, That we regard the present juncture of our national affairs, as involving the preservation of our liberties, and as scarcely inferior in importance to that in which they were achieved.

Resolved, That as regards the important question, all minor difference should be forgotten;—that devotion to party should be lost in devotion to country, and that the great contest among Americans, should be, as to the means best calculated to prevent the temple of our Union from crumbling into ruins.

Resolved, That the constitutional doctrines advanced, and views of policy embraced in the President's proclamation on the present difficulties in South-Carolina,—the patriotic spirit pervading that able document, and the prompt and decisive manner in which he has rebuked the pertinacious doctrines, and unjustifiable course recently adopted by a portion of the citizens of that State, command our entire approbation, and have crowned with new laurels the "Defender of his Country."

Resolved, That at the present alarming and eventful crisis, we conceive it to be a solemn and a paramount duty of the people of the different States, to express through their representatives, a firm and unwavering determination, to protect "the ark of our political safety" from the hand of violence, and to pledge their support in furtherance of the laudable resolution of the national executive, "to take care that the republic receive no detriment."

Resolved, That the Governor of this State be requested to transmit a copy of the foregoing preamble and joint resolutions to the President of the United States, and also, a copy to each of our Senators and Representatives in Congress, to be laid before that body, and one to the Governor of each State in the Union.

JOHN W. DAVIS, *Speaker of the H. of Rep's.*
DAVID WALLACE, *President of the Senate.*

Approved 9th January, 1833.

N. NOBLE.

(No. II.)

Resolutions of New-Hampshire.

STATE OF NEW-HAMPSHIRE.

Resolved by the Senate and House of Representatives in General Court convened, That the sentiments contained in the proclamation of the President of the United States, dated December 10, 1832, meet with the entire approbation of this Legislature, and that we hail in those sentiments and in the general measures of his administration, and particularly in the salutary exercise of his veto, a chief executive magistrate whose devoted patriotism and moral courage are equal to any crisis, and under the guidance of

whose wisdom the ancient landmarks of the constitution will be preserved, and the confidence reposed in him as manifested in his recent election by a vast majority the American people, will be fully justified. *And resolved further*, That the Secretary of State be directed to transmit a copy of this resolution to the President of the United States and to each of our delegates in Congress, and the Governor of each State in the Union.

FRANKLIN PIERCE,
Speaker of the House of Representatives.
BENNING M. BEAN,
President of the Senate.

A true copy,
RALPH METCALF, *Secretary of State.*

To his Excellency W. L. MARCY.

(No. III.)

Resolutions of North Carolina.

EXECUTIVE DEPARTMENT,
Raleigh, January 15, 1833.

SIR,

I have the honor to transmit to you, the annexed resolutions, adopted by both houses of the General Assembly of the State of North Carolina, at the session which terminated on the 11th instant.

With high consideration,
I am very respectfully,
Your obedient servant,
D. S. SWAIN.

To his Excellency the Governor of the State of New-York.

IN GENERAL ASSEMBLY.

Resolved, That the General Assembly of the State of North Carolina doth entertain, and doth unequivocally express a warm attachment to the constitution of the United States.

Resolved, That the General Assembly doth solemnly declare a devoted attachment to the Federal Union, believing that on its continuance depend the liberty, the peace and the prosperity of these United States.

Resolved, That whatever diversity of opinion may prevail in this State, as to the constitutionality of the acts of Congress imposing duties on imports for protection, yet, it is believed, a large majority of the people think those acts unconstitutional; and they are united in the sentiment, that the existing tariff is impolitic, unjust and oppressive; and they have urged, and will continue to urge its repeal,

Resolved, That the doctrine of nullification as avowed by the State of South Carolina, and lately promulgated in an ordinance, is revolutionary in its character, subversive of the constitution of the United States and leads to a dissolution of the Union.

Resolved, That our Senators in Congress be instructed, and our Representatives be requested to use all constitutional means in their power, to procure a peaceable adjustment of the existing controversy between the State of South Carolina and the general government, and to produce a reconciliation between the contending parties.

Resolved further, That a copy of these resolutions, be respectfully communicated by his Excellency the Governor of this State to the President of the United States, the Governors of the several States, and to our Senators and Representatives in Congress.

Read three times and ratified in General Assembly, this 5th day of January, 1833.

LOUIS D. HENRY, S. H. C.
W. D. MOSELY, S. S.

(No. IV.)

Resolutions of Massachusetts.

EXECUTIVE DEPARTMENT OF MASSACHUSETTS,
Boston, January 23, 1833.

SIR,

In discharge of an assigned duty, I have the honor, herewith, to transmit an expression of the opinions of both branches of the Legislature, and of the Executive of Massachusetts, on the subject of the protection of domestic industry of the country, and the inexpediency, impolicy, and ruinous tendency of the tariff bill, now pending before the House of Representatives of the Congress of the United States—the passage of which is deprecated as a measure, fatal to the prosperity, independence, and integrity of the nation, by the representatives of the people of this Commonwealth.

I have the honor to be,
With great respect,
Your obedient servant,
LEVI LINCOLN.

To his Excellency the Governor of the State of New-York.

COMMONWEALTH OF MASSACHUSETTS.

REPORT OF THE JOINT COMMITTEE;—ON THE TARIFF BILL.

The joint committee, appointed to consider so much of the Governor's address as relates to the proceedings of the late convention of the people of South Carolina, and the purposes and policy

thereof; and also the resolutions of the State of Pennsylvania thereon; and to whom have been referred the resolutions of the State of New-Hampshire upon the subject of the proclamation of the president of the United States in reference to the same, have entered on the consideration of the matters intrusted to them, and respectfully submit the following report, in part.

On examining the proceedings of the late convention of the people of South Carolina, the committee find, that they announce, on the part of that State, pretensions of a novel and dangerous character, which, if persisted in, and carried out in practice, can only terminate in the destruction of the government. South Carolina claims for herself, as one of the States composing this Union, the right of annulling at discretion any act of the government of the United States, which she may regard as unconstitutional; and has undertaken to exercise this right in reference to the laws imposing duties on the importation of foreign goods. In a public act, denominated an ordinance, the convention declare, that those laws are null and void, and make it the duty of the Legislature to adopt such measure, as may be necessary to prevent their enforcement within the limits of the State. The addresses and reports accompanying the ordinance set forth the reasons, by which the convention endeavor to justify their proceedings, and appeal to the people of the several States for their sanction and approval.

Such pretensions, made in so respectable a quarter, with every appearance of earnestness, and officially communicated to the government of this commonwealth, will naturally require from the General Court the expression of some opinion upon their correctness and consistency with the constitution and laws of the country. The committee accordingly propose, after the farther and more mature examination of the subject, which seems to be due to its extraordinary importance, to submit a report upon those points. In the mean time, they find, among the practical consequences of these proceedings, some which affect very deeply the interest and honor of this Commonwealth, and which, from the peculiar urgency of the case, appear to call for some distinct and immediate action.

The objection made by the State of South Carolina, to the laws which she has undertaken to annul is, that they were passed for the purpose of protecting domestic industry. She distinctly declares, that she will not permit any laws made for this purpose to be executed within her limits, and that, if an attempt be made to carry them into execution by force, she will withdraw from the Union. The executive branch of the government of the United States has met these pretentions with a firmness that becomes the official representative of a great and enlightened people, and has declared in a public proclamation, that the laws must and will be enforced. The legislative branch of the government will doubtless exhibit, in its final action, the same firm and dignified attitude which has been assumed by the President; but the committee have learned with regret, that a bill has been reported by one of the most important committees of the House of Representatives,

and is now under discussion in that body, the object of which seems to be to remove the danger of a collision between the government of the United States and South Carolina, by granting to the latter all that she demands. This bill is incorrectly described in its title, as a bill for the reduction of the duties on imported goods. While the duties on imported goods of some descriptions are reduced by it, those on others are raised, and should the bill become a law, its general result would probably be to increase rather than diminish the receipts into the treasury. The real object of the bill is obviously so to modify the laws laying duties on imported goods, that they shall, in no degree, or as little as may be, afford protection to the domestic industry of the country. The passage of such a law, considered merely as a change in the economical policy of the government, would be exceedingly injurious to the best interests of the people, and in particular of the citizens of this Commonweath; and taking into view the circumstances under which it is proposed would, in the opinion of the committee, seriously compromise the dignity and honor of the country.

1. Considered merely as a change in the economical policy of the government, the passage of this bill would be ruinous to the best interests of the people, and particularly of this Commonwealth. It reduces to such an extent the duties on imported cotton and woollen goods, that the domestic manufacture of these articles could not be sustained. These manufactures, which have grown up under the assurance of protection from the government, now employ many millions of capital, and several hundred thousand persons. In this Commonwealth, the amount of capital invested in these two branches of manufacture only—though it can not be calculated with much exactness, is probably not less than from thirty to forty millions of dollars. A great part of this capital, and with it the fortune of the citizens to whom it belongs or gives employment, would be destroyed forever by the passage of this bill. The effect of the passage of the bill on the growth of wool, and on the manufacture of iron and sugar would be not less injurious. It would, in short, prostrate at a blow all the principal branches of domestic manufacturing industry.

The fatal effect of such a measure upon the public welfare, hardly needs to be specified. The importance of domestic manufactures, as a home market for the products of agriculture, as a security for the national independence, as a means of increasing the wealth and population, extending the comforts, and elevating the civilization of the community, is universally admitted. The most enlightened nations have always been ready to make great sacrifices for the sake of naturalizing, within their own limits, these valuable establishments. Our own government has, for fifty years, uniformly, perseveringly, and sucessfully, pursued the same policy. The small tax which it has imposed upon us, in the increased price of some articles, has been repaid in a thousand different shapes, in the augmented prosperity of the country. After we have thus, for half a century, fostered our domestic manufactures with in-

creasing care, until we have finally brought them to their present flourishing condition, is it politic, patriotic, consistent, to turn upon them suddenly, and by a single wanton act of power, crush them all at a blow? Would not an act of this kind appear to be dictated rather by wild caprice than by the sober and prudent calculation which ought to prevail in the councils of a great people?

It is obvious that such a proceeding could only be justified by some very strong and urgent motive. In the present instance none whatever can be found. The pretext alleged by South Carolina for desiring the repeal of the protecting duties is, that they are unequal in their operation—that they press more heavily upon her industry than upon that of the north, and have reduced her to a state of comparative decay. But these allegations, which are sustained only by fine-spun metaphysical disquisitions on political economy, are wholly at variance with notorious facts. It is known to every impartial inquirer, that the establishment of home manufactures, by opening a new market for their staple products, exercises a most beneficial influence on the prosperity of the planting States, and that, if some of these have in fact declined at all, it has been, not in consequence of the tariff, but of the opening of richer soils in the new South Western States. The pretence alleged by the framers of the bill is the necessity of reducing the revenue, in consequence of the diminution of the public expenses resulting from the payment of the national debt. This is still more futile than the other. If it be the object of the bill to reduce the revenue, why does it restore the duties on tea and coffee? Are the framers of the bill ignorant of the known and familiar fact, that a diminution of the duties on imported goods, by increasing the importation generally, increases the aggregate receipts. The effect of the bill, should it become a law, would probably be, as your committee have already remarked, not to diminish but to increase the receipts into the treasury. The framers of it can not be ignorant of this, and the real object in proposing it, must therefore of necessity be different from the professed and ostensible one.

If it were for any sufficient reason really expedient to change in this way the long established economical policy of the country, the plainest considerations of humanity and justice would dictate, that the change should be made very gradually, so that the citizens, whose property is invested in manufactures, might be able to disengage it with the least possible loss. No greater political evil can well be imagined, than violent and sudden changes of the laws on any subject, and, where such changes are of a nature to affect immediately the welfare of individuals, they can only be excused by the severest necessity. The force of this consideration has been heretofore acknowledged, even by the opponents of the protecting policy, and was kept in view in all previous projects for the reduction of duties. It is now, for the first time, seriously proposed to effect at once a reduction large enough to destroy the most flourishing establishments, and to carry desolation through the whole manufacturing interests of the country.

Such is the character of the bill, considered merely as a change in the economical policy of the government. The objections to it, which your committee have stated in the most concise form, but which are too familiar to the public mind, not to occur at once with all the necessary development to every one, are plain, obvious, palpable. They can not, it would seem, be overlooked or disregarded by any sincere and enlightened friend of the country. Strong as they are, they are, however, if possible, inferior in importance to those which are suggested by a view of the circumstances under which the bill is proposed.

2. Considering the circumstances under which it is offered, the bill amounts to a proposal to surrender the rights and interests of the whole people to the menaces of a single State, and the passage of it into a law would seriously compromise the honor and dignity of the government.

A few months only have elapsed, since the present Congress, with great consideration, and after many months of long and anxious debate, passed an impost law, which was to take effect from and after the first day of next March, and which has of course not yet gone into operation. No law has ever been passed in this country, upon which the people at large or their representatives in Congress have bestowed more time, labor, and attention, than upon this. Two great conventions were successively held, masses of materials in the form of reports and statistical documents were collected, and months of debate were employed in bringing it to perfection. It was a law of reduction—constructed on the professed principle of compromise, with a view of satisfying, by every reasonable concession, the discontents of the south. It was adopted by an unusually large and gratifying majority, composed of moderate men of all parties. The repeal of a law made with so much labor and caution, before it has even gone into operation, is a measure, which could obviously be justified only by some very important political event occurring in the interval. It is a measure which in the nature of things would never be proposed, excepting as a consequence of some such change. What event then, has occurred, since the adoption of the impost law of the last session of Congress, of a nature to lead to such a proposal?

The only event which has taken place since the last session of Congress, that has any bearing at all on the subject, is the declaration of the South Carolina convention, that that State will secede from the Union unless the protecting policy be forthwith abandoned. The bill, reported by the committee of ways and means of the House of Representatives, proposes the immediate abandonment of the protecting policy. Does it require any argument to make it appear, that the report of this bill is one of the results of the South Carolina convention? Does it require any argument to shew, that the passage of such a bill, reported under such circumstances, into a law, would be as inconsistent with the honor as it would be with the interest of the country?

Your committee think not, and conceiving it to be of great importance that the opinion of this General Court should be distinctly and promptly expressed upon the subject, they respectfully submit the following resolves.

All which is respectfully submitted.

By order of the committee.

A. H. EVERETT, *Chairman.*

RESOLVES;

In relation to a bill now pending in the Congress of the United States.

Whereas, the committee of ways and means of the House of Representatives of the United States have reported a bill for the further reduction of the duties on imported goods, the passage of which into a law would materially affect the interests of the people of this Commonwealth, and

Whereas, it is important that the opinion of the General Court should be expressed upon the subject, in order that the Senators and Representatives of this Commonwealth may be better enabled to understand and give effect to the wishes of their constituents: Therefore,

1. *Resolved, by the Senate and House of Representatives of the Commonwealth of Massachusetts, in General Court assembled*, That the passage into a law of the bill for the further reduction of the duties on imported goods, now pending in the House of Representatives of the United States, would prostrate the principal branches of our domestic manufactures, destroy our agricultural enterprize, paralyze our commerce and fisheries, and condemn to bankruptcy and ruin thousands of our most industrious and enterprizing citizens, and materially affect, in the most injurious manner, the prosperity of the whole country.

2. *Resolved*, That it is the usage and the duty of enlightened and prudent Governments to proceed with great deliberation in their legislation on all important subjects, and that no greater political evil can well be imagined, than frequent and rapid changes of the laws, especially such as affect the property and industry of the citizens: that for Congress, after having recently revised the revenue laws with great consideration, and made a new arrangement of them by an unexpectedly large and satisfactory majority, to take up the subject again before the new law has even gone into operation, and at a short session, when the little time at their disposal is plainly insufficient for a careful examination of it, would be a proceeding manifestly at variance with the plainest rules of discretion, and only to be justified by the intervention of some very great change in the political situation of the country.

3. *Resolved*, That since the passage of the law of the last session of Congress, which has not yet gone into operation, no change has

occurred in the political situation of the country of a nature to affect the action of the Government upon the subject, except the assembling and acts of the South Carolina convention, by which that State threatens to secede from the Union, unless the protecting policy be immediately abandoned; and that these proceedings, far from affording a sufficient motive for new legislation on the subject at the present moment, would form of themselves a strong objection to it; that no moment could well be imagined less favorable for a cool and dispassionate examination of any general subject, than one in which it should be accidentally embarrassed by a particular incident of a novel, dangerous and irritating character, and that a prudent, firm and patriotic government would on no account expose the great interests of the people to the risk which they would run, by being debated and decided upon in the midst of civil commotions.

4. *Resolved*, That the bill now reported by the committee of ways and means is not merely an injudicious and impolitic attempt to legislate, under circumstances unfavorable to a calm and cool consideration of the subject, but wears upon the face of it the aspect of submission, and that it grants substantially what South Carolina demands; that, taking into view, in connexion with its tenor and objects, the manner in which it has been brought forward and pressed upon the consideration of Congress, it amounts to nothing less than a proposal to sacrifice, and that in a precipitate manner, inconsistent with our ideas of national honor and dignity, the rights and property of twenty-three of the States to the menaces of one.

5. *Resolved*, That while we cannot for a moment anticipate the possibility of the passage into a law of a bill of this description, in a Congress which, within a few months, has, by a large majority pledged itself to the policy which it is now proposed to abolish, we yet deem it our duty formally to protest against the adoption of the measure proposed, as subversive of the best interests of the country, derogatory to the national honor, and involving a gross and palpable abuse of power in the Government.

6. *Resolved*, That whilst the people of this Commonwealth, in the spirit of patriotism and fraternal conciliation, are ready, at all times, to submit to such reasonable changes of national policy as the deliberate judgment of the whole country shall require for the common good, they are not bound silently to acquiesce in destructive revolutions in principles and policy, effected by threats of violence through the forms, but in contempt of the spirit and power of the Constitution.

7. *Resolved*, That our Senators in Congress be instructed, and our Representatives requested, to use all the means in their power to prevent the bill reported by the committee of ways and means from passing into a law.

8. *Resolved*, That his Excellency the Governor be requested to transmit a copy of these resolves, with the report preceding them, to each of the Senators and Representatives of the Commonwealth in Congress, and to the Governors of all the States.

IN SENATE.

January 18, 1833.

Read twice and passed.

Sent down for concurrence.

B. T. PICKMAN, *President.*

HOUSE OF REPRESENTATIVES.

January 22, 1833.

Read twice and passed in concurrence.

W. B. CALHOUN, *Speaker.*

January 23, 1833, Approved.

LEVI LINCOLN.

A copy—Attest,

EDWARD D. BANGS,
Secretary of the Commonwealth.

No. 116.

IN ASSEMBLY,

January 28, 1833.

ANNUAL REPORT

Of James M. Nelson, an Inspector of Lumber in the city and county of New-York.

Schedule shewing the quantity, quality, value, &c. of lumber measured and inspected by James M. Nelson, inspector of lumber in and for the city and county of New-York, from the 1st day of January, to the 31st day of December, 1832, together with the fees for measuring and inspecting the same.

Quantity, feet, inch measure.	Different kinds and worth.	
940,190	white pine boards and plank, at $20 per M.	$18,803 80
564,144	pine sawed house timber, at $13 per M. .	7,333 87
144,633	spruce " " $12 " :	1,735 59
582,853	hemlock plank and timber, at $10 per M.	5,828 53
157,248	maple joist, plank and boards, at $18 "	2,830 46
183,768	ash plank, at $20 per M.	3,675 36
695,784	½ inch whitewood boards, at $16 per M.	11,132 17
21,948	whitewood chair plank, at $35 per M....	680 42
46,504	basswood boards, at $10 per M.....	465 04
22,755	curled maple stuffs, at $60 per M.	1,365 30
40,408	cherry boards and plank, at $30 per M..	1,212 24
163,207	oak boards and plank, at $20 per M.....	3,264 14
7,596	black walnut, at $30 per M.	227 88
3,571,038	feet total amount.	$58,524 80
2,473	cubic feet round locust timber, at 75 cts.	1,854 09
	Total amount,.....	$60,408 89

Whole amount of fees,..... $1,138 82

JAMES M. NELSON.

New-York, January 18th, 1833.

No. 117.

IN ASSEMBLY,

January 28, 1833.

ANNUAL REPORT

Of George Seaman, an Inspector of Pot and Pearl ashes for the county of New-York.

New-York, January 22, 1833.

To the Hon. Charles L. Livingston,
Speaker of the Assembly.

Sir,

I herewith transmit the annual report of pot and pearl ashes inspected by me, as required by law.

Respectfully your ob't. serv't.
GEORGE SEAMAN,
Inspector of pot and pearl ashes for the county of New-York.

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No. 118.

IN ASSEMBLY,

February 12, 1833.

REPORT

Of the select committee, on the petition of the Mayor, Aldermen and Commonalty of the city of New-York.

Mr. Ostrander from the select committee, to whom was referred the petition of the Mayor, Aldermen and Commonalty of the city of New-York, for a law relative to marshal's in the city of New York,

REPORTED:

That they have had the subject under consideration. The petitioners represent that prior to the last session of the Legislature, the number of marshal's was by law restricted to sixty, of which not more than thirty could be commissioned to serve process issuing out of Assistant Justices' or Marine Courts of said city, and that at the last session of the Legislature a law was passed, by which the number of marshal's might be increased to one hundred, but no provision was made allowing an additional number to be commissioned to serve process issuing out of said courts; they therefore ask for the passage of a law authorising the Mayor of said city to increase the number, not to exceed fifty in the whole.

Your committee are of opinion that the increase of business in the Assistant Justices' and Marine Courts of the city of New-York, requires that the number of marshal's to serve process issuing out of said courts should be increased.

Your committee are of opinion that the prayer of the petitioners is reasonable and ought to be granted, and ask leave to introduce a bill.

No. 119.

IN ASSEMBLY,

January 28, 1833.

ANNUAL REPORT

Of Robert C. Theall, an Inspector of Oil in the city of New-York.

Inspection of oil in the city of New-York, for the year 1832, by Robert C. Theall.

	Gallons.	Sed't.	Straits	Bank.	Shore.	Bbls.
January,	4,171	30½	25	73	53	151
February,						
March,	1,462	43	....	.....	39	39
April,	2,406½	22½	....	.....	79	79
May,	3,195	147	9	.....	103	112
June,	2,490	35	....	38	42	80
July,						
August,						
September,	8,042	74½	....	46	231	277
October,	11,980	124½	....	57	354	411
November,	11,949	147½	23	63	311	397
December,	2,816	36½	....	13	78	91
	48,511½	661	57	290	1,290	1,637

1,637 barrels at 20 cents,	$327 40
Expenses, labor and tools,	55 65
	$271 75

ROBERT C. THEALL.

No. 120.

IN ASSEMBLY,

January 31, 1833.

REPORT

Of the committee on trade and manufactures, on the petition of sundry inhabitants of the county of Tompkins.

Mr. Myers, from the committee on trade and manufactures, to whom was referred the petition of sundry inhabitants of the county of Tompkins, for the incorporation of a company for the manufacture of morocco leather and flour,

REPORTED:

That they have had the subject under their consideration. The only reason set forth by the petitioners for the passage of the act prayed for, is that a similar act was passed for the incorporation of a company for a similar purpose in the counties of Greene and Delaware. This is not, in the minds of your committee, a sufficient reason for granting the prayer of the petitioners, particularly as they wish to include in their act the manufactory of flour. Your committee are of opinion that the multiplication of incorporations for minor purposes is not expedient, and that the prayer of the petitioners ought not to be granted.

No. 121.

IN ASSEMBLY,

February 12, 1833.

REPORT

Of the select committee, on the petition of John C. Babcock.

The select committee, to which was referred the petition of John C. Babcock, praying for the alteration of the name of his son, John Arden Babcock, to John Babcock Arden,

REPORT:

That Abijah Arden, late of the city of New-York, deceased, the aunt of the petitioner, John C. Babcock, did, by her last will and testament, devise to John Arden Babcock, the infant son of the said John C. Babcock, one hundred thousand dollars, upon condition that the said John Arden Babcock should, within three years after the death of the said Abijah Arden, assume the name of John Babcock Arden.

Your committee are of opinion that the prayer of the petitioner should be granted, to enable his son to possess the property devised, and they therefore have prepared a bill which they ask leave to introduce.

No. 122.

IN ASSEMBLY,

January 28, 1833.

ANNUAL REPORT

Of Alexander Dennistoun, an Inspector of Lumber for the city of New-York.

To the Honorable the Legislature of the State of New-York, in Senate and Assembly convened.

The subscriber, an inspector of lumber of the city and county of New-York, respectfully submits the following returns of lumber inspected by him in the year one thousand eight hundred and thirty-two.

	Cub. & Sup. ft.	Sup. feet.
Albany boards and plank, merchantable,....	123,753	
" " seconds, ...	111,220	
		234,973
Locust timber, merchantable, ...	890	
" seconds, ...	104	
		1,156
Hard wood joist, merchantable, ...	14,537	
" seconds,.....	1,184	
		15,721
Oak plank, ...		1,575
Yellow pine ship plank, merchantable,.....	84,546	
" " seconds,.....	63,591	
		148,137
Sheathing boards, ...		2,529
Sawed timber, merchantable, ...	760,649	
" seconds, ...	112,102	
		872,751
Yellow pine square timber, merchantable, ..	14,368	
" " seconds, ...	3,448	
		213,792

	Cub. & Sup. ft.	Sup. feet.
White pine square timber, merchantable, ...	37,418	
" " seconds, ...	5,128	
		510,552
Flooring boards, merchantable, ...	51,955	
" seconds, ...	46,138	
		98,093
Ash plank, ...		19,895
Cedar boards, merchantable, ...	523	
" seconds, ...	647	
		1,170
		2,120,344

Amount of fees on the above, is $668 91

ALEXANDER DENNISTOUN.

Inspector.

New-York, January 24th, 1833.

No. 123.

IN ASSEMBLY,

January 29, 1833.

ANNUAL REPORT

Of Richard B. Fosdick, an Inspector of Flaxseed in the city of New-York.

To the Honorable the Legislature of the State of New-York.

The inspector of flaxseed, reports, that he has inspected 10,271 casks, and 288 half casks seed, from 1st day of January, 1832, to 1st day of January, 1833, value of which, is $145,810.00.

Fees.

Inspecting 10,271 casks, at 5 cents, ...	$513 55
" 288 casks, at 3 cents, ...	8 64
	$522 19
Expenses during the year,.....	185 00
Nett proceeds,.....	$337 19

RICHARD B. FOSDICK,
Inspector.

New-York, January 15th, 1833.

No. 124.

IN ASSEMBLY,

February 11, 1833.

REPORT

Of the select committee on the proceedings of a meeting of the inhabitants of Brooklyn, in the county of Kings.

Mr. Wager, from the select committee, to which were referred the proceedings of a meeting of the inhabitants of Brooklyn, in the county of Kings, praying for the passage of a law organizing a board of assessors in and for said county,

REPORTED:

That by the existing laws, the asssessors in the several towns and wards in the county of Kings, are required to make out and complete an assessment roll for each town and ward in said county, containing the estimated value of the real and personal estate, taxable by law in such town or ward, and deliver the same to the supervisor of such town or ward, on or before the first day of September in every year.

That for a want of concert and a uniform rule of assessment, the assessors of the several towns and wards in said county, assess the property of individuals, living in different towns very unequally, thereby doing great and manifest injustice, which the board of supervisors of said county have no power to correct.

The petitioners propose to establish a board of assessors, by requiring the assessors of the several towns and wards in said county before they proceed to make their assessments, to organize themselves into a board, and adopt such rules and regulations as may, in their opinion, be best calculated to produce equality and uniformity in the different valuations of real estate and other taxa-

ble property in said county. And they also propose that after the assessment rolls in the several towns and wards shall have been made, that they be submitted to said board of assessors, for correction and revisal, before they shall have been fully completed and submitted to the board of supervisors of said county.

By the act of the 20th of April, 1830, the assessors chosen in the several wards in the city of New-York, were authorised and required to form a board of assessers similar to the one now proposed to be formed for the county of Kings: and your committee are informed, and believe, that the board so formed in the city of New-York has fully answered the desired object, by effecting equality and uniformity in the valuations of the property of individuals in the several wards of said city.

Your committee are of opinion that the mode proposed by the petitioners to be adopted, is well calculated to remedy the evil complained of, and that the prayer of the petitioners is reasonable and ought to be granted.

Your committee therefore ask leave to introduce a bill.

All which is respectfully submitted,

No. 125.

IN ASSEMBLY,

February 11, 1833.

REPORT

Of the Commissioners of the Land-Office, on the petition of John Gregg.

The Commissioners of the Land-Office, on the petition of John Gregg, referred to them by the honorable the Assembly,

RESPECTFULLY REPORT:

That in 1824, the first Christian party of the Oneida Indians ceded to the State the remaining part of their lands, east of Oneida Castleton. These were surveyed and advertised to be sold on the 25th of May, 1825. Before the day of sale, the second Christian party applied to the Legislature to purchase lot No. 31, commonly called the Butternut Orchard lot, for the accommodation of their church, in the vicinity of which it is situated. By the act, Chap. 147, passed April 13, 1825, the Surveyor-General was prohibited from selling the lot, and the Governor was authorised to exchange it with the Indians for other lands; in that case it was to be held by them, for the sole use of such missionary or missionaries as should from time to time preach amongst them, and to revert to the State when they should cease to use it for such purpose. Since that the lot has continued in the occupancy of the Indian missionaries. Although the Indians have not, since the passage of said lot, applied for the exchange, and have of late formally declared that they will not take the lot on the conditions prescribed by the act. It now remains for the Legislature to leave the lot gratuitously for an indefinite time to the use of the Indians, as it now is, or direct it to be sold for the benefit of the State. The petitioner now prays that this lot may be granted to him as part of the land which the Commissioners of the Land-Office are authorised to grant him by the act Ch. 70, passed March 16, 1831.

It contains 45 acres and 15 hundredths of an acre; and was appraised at $14 per acre, which has been paid to the Indians. The Commissioners of the Land-Office have not the means of ascertaining how much this value has been increased, by improvements since made.

Respectfully submitted.

SIMEON DE WITT, *Sur. Gen.*
JOHN A. DIX, *Secretary,*
A. C. FLAGG, *Comptroller,*

February 11, 1833.

No. 126.

IN ASSEMBLY,

February 11, 1833.

REPORT

Of the committee on claims, on the petition of Joseph A. Norton.

Mr. Russell from the committee on claims, to which was referred the petition of Joseph A. Norton, praying compensation for his services and disbursements, in pursuing and apprehending fugitives from justice,

REPORTED:

It appears from documents in the office of the Comptroller, that previous to the month of March, 1832, Gov. Throop issued his requisition to Hallaway Hayward and Edward Parmele, upon the Governor of the province of Upper Canada, for the apprehension of John Hopkins and David L. Dexter, fugitives from justice, who were then in the said province, having fled there from this State.

The petitioner alleges, that said Hayward and Parmele, being unacquainted with said fugitives, procured the petitioner to accompany them in their pursuit, he being personally acquainted with said fugitives; that they proceeded on to Canada, and there discovered the said Hopkins and Dexter, and it was found that before they could be arrested it was necessary to establish by legal evidence the identity of the fugitives and the crime of which they had been guilty, which the petitioner from his own knowledge was enabled to do, and but for which they could not have been arrested and delivered over to said Hayward and Parmele, which, however, was done by the civil authority of the said province; that the petitioner was engaged in this service twenty-three days, for which he charges thirty-four dollars and fifty cents, ($34.50) and for expenses twenty-seven dollars and fifty cents, (27.50) over and above

fare and expenses to and from Hamilton to Little York, in the province of Upper Canada, which were paid by Hayward and Parmele; that he presented his account to the Comptroller, who declined paying it, on the ground that there was no law authorising him to audit and pay said account.

The committee have examined the original account rendered to the Comptroller by Hayward and Parmele, and do not find the petitioners account included therein; though a reference is made therein to him as being one of the pursuers.

On the back of this account is a certificate in the following words:

"I certify that I issued to Halloway Hayward and Edward Parmele the usual requisition upon the Governor of the Province of Upper Canada, for the apprehension of the fugitives within mentioned.

(Signed,)

E. T. THROOP.

Dated Albany, 27th March, 1832."

The authority of Hayward and Parmele is here established, as well as the recognition of their right to employ the petitioner.

This account of Hayward and Parmele was audited by the Comptroller and paid by the Treasurer, on the same 27th March, 1832, as the committee are informed by the Deputy Comptroller, who is of the opinion that the petitioner's demand is just and reasonable.

The correctness of the account is established by the affidavit of the petitioner, and also by the affidavits of said Hayward and Parmele respectively, who also testify to the importance of the service rendered by the petitioner.

Under these circumstances, the committee are of the opinion that sound policy, as well as a sense of justice, requires the allowance of the petitioner's claim; they have therefore prepared a bill for that purpose, and ask leave to introduce the same.

No. 127.

IN ASSEMBLY,

February 12, 1833.

REPORT

Of the select committee, on the petition of Almond Eggleston, collector of taxes in the town of Cohocton, Steuben county.

Mr. Woods, from the select committee, to whom was referred the petition of Almond Eggleston, collector of taxes in the town of Cohocton in the county of Steuben, praying for an act extending the time for the collection of taxes in said town,

REPORTED:

That it satisfactorily appears to the committee that the petitioner, a collector of taxes in said town, received a warrant for the collection of taxes in the town of Cohocton, on the 17th day of December last, requiring him to collect and return the taxes thereon, on or before the first day of February then next: and that the petitioner, by reason of sickness, was unable to fulfil the requirements of said warrant.

Your committee believe that the time for the collection of taxes, in the town of Cohocton, should be extended until the thirtieth day of March next; and have therefore prepared and ask leave to introduce a bill.

No. 128.

IN ASSEMBLY,

February 8, 1833.

PETITION

Of the managers of the Institution for the blind, for relief.

To the Honorable the Legislature of the State of New-York, in Senate and Assembly convened:

The petition of the subscribers respectfully represents:

That in April, 1831, an institution was incorporated by your honorable body, to be located in the city of New-York, by the name of the "New-York Institution for *the Blind*," with the express object of providing instruction for those who are deprived of sight, and of occupying them in such mechanical employments as are adapted to their condition; that in March, 1832, three blind boys were taken from the city alms-house, to be boarded, clothed and instructed at the expense of the institution; that in May following three others were also taken from the alms-house, where they had all become blind from opthalmia. This experimental undertaking has thus far proved completely successful, and the managers of the Institution have the satisfaction to state, that the children under their care have made reputable progress in reading, writing, arithmetic and geography, as well as in the manual operations of plaiting straw, making baskets, and in weaving.

There are at present six children in the school, which is at No. 47 Mercer-street, and they are boarded in the same house with a widow lady, under the immediate superintendence of Dr. Russ, who has charge of their instruction. There are a number of other blind children in the city, for whose reception arrangements are making; two are soon expected from Washington county; and from the number of the blind in the State, no doubt exists but that

objects of this charity might be found to enlarge the school and keep it full, provided the Institution were amply endowed. The Institution is under the direction of a board of managers, as provided by the act of incorporation. Hitherto it has been sustained by the contributions of the managers and others benevolently disposed, and the proceedings thus far has produced a conviction in their own minds that it is no longer a matter of experiment or doubt, but that the blind may be taught to read, to write, to cypher and to make themselves useful in various handicraft employments. If your petitioners can satisfy the constituted authorities of the State that such is the case, they hope for encouragement and patronage from your honorable body, to sustain a novel and arduous undertaking. If a declaration of their own convictions is not sufficient, they will take a favorable opportunity, before the closing of the present session, to make a demonstration before your honorable body of the ability of the blind to read by feeling, &c.

It is the intention of the managers of this institution to be liberal in extending the benefits which it is calculated to confer upon the blind. But as far as their observations and inquiries have extended, it is found that most of the persons in this condition are destitute of affluence. This institution possesses a list of fifty persons' names, all of whom a short time since were in the city alms-house as paupers. There are probably as many more in the city residing with their friends, wholly unoccupied and lost to society, unless restored to activity and usefulness by an institution like the present. Contributions might doubtless be raised here to supply the wants of the blind in this city, but the operations of the Institution cannot be extended beyond without State patronage.

By the late census of the United States, it appears that there are more than seven hundred blind persons in the State of New-York. The greater part of these must inevitably be, or become paupers, but those who are capable of being instructed can and ought to be rescued from the possibility of becoming a burthen upon society. Blindness is a misfortune to which all are liable, and those in that condition have claims to public favor equally as great as those who are deaf and dumb, to whom the honorable the Legislature has heretofore been remarkably liberal.

The object of this application, and the prayer of your petitioners therefore is, that your honorable body would grant such aid to this

institution as would enable the managers to extend its benefits to the remotest parts of the State. For which, as in duty bound, your petitioners will ever pray.

By order of the board of managers.

SAMUEL AKERLY, M. D. *President.*

JOHN D. RUSS, M. D. *Sec'y.*

New-York, 9th Jan. 1833.

RECOMMENDATION

To the patronage of the Legislature of New-York, of the New-York Institution for the Blind.

The subscribers, Commissioners of the common school fund of the city of New-York, respectfully recommend to the patronage of the State Legislature the *New-York Institution for the Blind,* which has been in operation in this city for some time past, and in which the children are taught to read by feeling in books prepared for the purpose, to write, to cypher, and also several mechanical employments.

New-York, 10th Jan. 1833.

WILLIAM THOMPSON, *Chairman.*

W. A. SEELY, *Sec'y.*

SAM. GIFFORD, Jun.
E. D. COMSTOCK,
SAML. N. DODGE,
C. HARSEN,
JNO. GRAY,
JOSEPH PIGGOT,
Commissioners.

No. 131.

IN ASSEMBLY,

February 13, 1833.

REPORT

Of the committee on the erection and division of towns and counties, on the petition of sundry inhabitants of the town of Bethlehem.

Mr. Butrick, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the town of Bethlehem, praying for a repeal of the law passed April 17th, 1832, dividing said town,

REPORTED:

That they have had the same under consideration, and heard the statements of the petitioners and those opposed.

The town of Bethlehem, previous to said division, was about fourteen miles in length by some six or seven in width, and at the last election they polled about 1,300 votes; and it is urged by the petitioners as a reason for repealing said law, that it was passed against the interests and wishes of three-fourths of the inhabitants of said town, and that the line dividing the same is crooked and inconvenient and different from the wishes of the applicants.

On the other hand, it is urged against the repealing of the law, that it is extremely difficult to do the town business at their annual meetings in one day, in consequence of their numbers; and further, that their territory, as well as the number of inhabitants, is sufficiently large to make two good towns, and the line as now run divides the towns equally.

Your committee, in accordance with the wishes of the petitioners, have taken all the circumstances in connection with the sub-

ject into consideration, and do believe that the towns as they now are can be better accommodated than they could be should the law be repealed. The committee have therefore come to the conclusion that the prayers of the petitioners ought not to be granted, and that they have leave to withdraw their petition.

No. 132.

IN ASSEMBLY,

January 29, 1833.

ANNUAL REPORT

Of Jacob Shumway, an Inspector of Beef and Pork in the city of New-York.

Return of provisions inspected by Jacob Shumway, from 1st January, 1832, to 31st December, inclusive.

Viz:	1,138	barrels	mess pork.
	3,102	"	prime pork.
	65	"	cargo pork.
	1,471	"	not brandable.
	284	"	mess beef.
	297	"	prime beef.
	18	"	cargo beef.
	16	"	not brandable.
	23	half barrels	mess beef.
	18	"	prime beef.
	5	"	not brandable.

Valued at $70,562 50

Inspection fees and cooperage on same, ... $1,596 95

JACOB SHUMWAY,
Inspector of Beef and Pork.

New-York, 22 January, 1833.

No. 133.

IN ASSEMBLY,

January 29, 1833.

REPORT

Of the committee on banks and insurance companies, on the petition of Elisha Tibbits and others.

Mr. Morris, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the petition of Elisha Tibbits and other citizens of the city of New-York, praying for the incorporation of a company, to be called "The New-York State Assurance Company,"

REPORTED:

From the petition, it appears that the business desired to be transacted by said company, is "the guarantying of the punctual payment of obligations and contracts."

Your committee, by reference to the bill which accompanies the petition, have more fully learned the extent of the powers asked for by the petitioners. They ask a capital of $1,000,000: That they may be empowered to make contracts or obligations of guaranty with any person or persons, bodies politic or corporate, for the punctual payment of any sum or sums of money on any given day, or for the faithful performance of any contract or stipulation: That they may charge for such guaranty, such premium as may be agreed upon by the parties thereto respectively: That the corporation may make advances in money on account of any such contract or obligation so to be guarantied, charging lawful interest for such advance: That they may lend their funds or monies on bonds and mortgages or *other securities*, at a rate of interest not exceeding seven per cent per annum; and receive such interest annually or *otherwise*, as may be agreed on by the parties: That they may invest their funds and monies in any of the *stocks* created by the

authority of this State, the United States, or of any individual State; and the same may sell and transfer: That they may (besides the real estate which is necessary for the transaction of their business) hold real estate bona fide mortgaged, *pledged* or secured to them: That they may purchase on sales made by virtue of judgments at law or equity, or any other legal proceeding or authority; or *otherwise* to receive and take any real estate in payment, or towards satisfaction of any debt previously contracted and due: That they may hold such real estate until they can *conveniently* and *advantageously* sell and convert the same into money.

Your committee are of opinion that the powers asked for by the petitioners would make the institution one of discount, with this advantage over all other banks of discount, that they could first deduct from the note presented for discount, such sum as the *exigencies* of the applicant might compel him to give, and call that a *premium* for insuring the punctual payment of the note; and then make a further deduction for *interest* upon the amount advanced upon the note. It would also give the corporation the power of purchasing bonds and mortgages, and obligations of every description. It is true, it would be called insuring the punctual payment of the obligation when it should become due, and would be called advancing monies upon the obligation insured; but your committee cannot perceive the difference between the purchase of the obligation at a large discount, and the insuring of the payment of it, and receiving interest upon the monies advanced upon it. To illustrate the views of the committee by a case stated: A calls upon the company with the bond and mortgage of B, say for one thousand dollars, and wishes to have the punctual payment of it insured, and also wants an advance of money upon it. He agrees to pay $100 to have the payment insured, and also wants the whole amount of the bond and mortgage advanced to him. After the insurance is effected, the $1000 is advanced, out of which he first pays the company $100 for the insurance of the obligation; and then he pays the company, say $70, the interest in advance, for the amount advanced upon the obligation; and he will have remaining out of the $1000 advanced to him, only $830. The instrument and the policy of insurance is left with the company, as security for the money they advanced upon the obligation. If the obligation is paid at maturity, the amount received will just pay the amount advanced by the company upon the obligation: If not paid, a suit will be instituted to recover the amount, to indemnify the company for the

amount of the insurance. And after all this procedure, it arrives at the same point, as though the company in the first instance had paid A $830 for B's bond and mortgage for $1000.

They might purchase stock of any institution, and obtain the whole management and control of it.

They might purchase, under their mortgage and judgment sales, and also by private sale where they had previously advanced monies upon it, real estate to any amount, and could hold any amount of real estate for such length of time as they might choose.

These are some of the most glaring features which are asked for "The New-York State Assurance Company."

Your committee believe that such powers could be wielded to the great detriment of community, and that they never should be granted by a Legislature: They therefore are of opinion that the prayer of the petitioners ought not to be granted.

No. 134.

IN ASSEMBLY,

February 12, 1833.

ANNUAL REPORT

Of the Commercial Bank in the city of Albany

COMMERCIAL BANK,
Albany, February 11, 1833.

SIR,

I have the honor to transmit herewith the annual statement of the funds and property of this bank.

I have the honor to be,
With great respect,
Your most ob't. serv't.
H. BARTOW,
Cashier.

HON. CHARLES L. LIVINGSTON,
Speaker.

STATEMENT

Of the Funds of the Commercial Bank, February 12th, 1833.

Bills discounted, and other securities, all of which are considered good and secure, ...	$740,806 03
Do. considered as doubtful, but from which something will be realized, ...	4,673 43
Bond and mortgage on property in the city of Buffalo, worth more than double this sum, ...	12,667 14
Balances due from other banks, all in good standing,	57,760 13
Notes and drafts at sight on other banks, all of which are good, ...	228,433 12
Drafts on other banks received in payment of notes sent home, having a few days to run, ...	17,180 06
Specie.	39,865 00
	$1,101,384 93

Capital stock paid in, ...	$225,000 00
Nett profits on hand, ...	46,325 26
Dividends uncalled for,.....	844 48
Bank notes in circulation, ...	160,268 00
Balances due to other banks,.....	201,747 88
Bank of Rome, special deposit bearing interest,..	60,000 00
Balance of interest due from the bank on deposits bearing interest, ...	4,463 67
Due to the Albany Savings bank,.....	113,266 47
Due to the State Treasurer,.....	65,024 30
Due to the Commissioners of the Canal Fund,...	100,000 00
Due for individual credits,.....	124,444 85
	$1,101,384 93

Albany county, ss.

We, John Townsend, president, and Henry Bartow, cashier, of the Commercial Bank of Albany, do swear, that the foregoing statement contains a full and true account of the funds and property of the bank; that the amount of the capital of said bank is 400,000 dollars, of which 225,000 dollars is paid in, and that the amount of specie above reported, viz: 39,865 dollars, is bona fide the property of the bank, and has not been borrowed, or in any wise obtained with a view to make this report.

JOHN TOWNSEND, *President.*
H. BARTOW, *Cashier.*

Sworn before me, this 12th day of Feb. 1833.

R. J. HILTON, *Judge Albany county courts.*

No. 135.

IN ASSEMBLY,

February 12, 1833.

MESSAGE

From the Governor, transmitting a Report and Resolutions of the State of Delaware.

TO THE ASSEMBLY.

GENTLEMEN:

The enclosed report and resolutions of the Legislature of Delaware, relative to the proceedings of South Carolina, have been transmitted to me by the executive of that State, and I lay them before you for your consideration.

W. L. MARCY.

February 11, 1833.

DOCUMENTS.

EXECUTIVE DEPARTMENT,
DOVER, DELAWARE,
January 18, 1833.

SIR,

In obedience to a resolution, of the General Assembly of this State, I have the honor to transmit a report of the committee of the Senate, upon the Ordinance of South Carolina, and the Resolutions of the General Assembly upon the same.

With all respect,
I am, very respectfully,
Your ob't servant,
C. P. BENNETT.

To HIS EXCELLENCY,
The Governor of the State of New-York, Albany.

Mr. BAYARD, *from the committee to whom was referred so much of the Governor's message as relates to the communication from the Governor of the State of South Carolina, made the following report—Jan.* 7, 1833.

The committee, to whom was referred so much of the Governor's message as relates to the communication from the Governor of the State of South Carolina, respectfully submit the following

REPORT:

The communication from the Governor of South Carolina is composed of documents ordered by a Convention of the people of that State held in November last, to be transmitted to the Governors of the several States for the information of their respective Legislatures. These documents consist of a report of a committee of twenty-one to the Convention, on the subject of the several acts of Congress imposing duties for the protection of domestic manufactures, with the Ordinance to nullify the same, an address to the people of that State, and an address to the people of the United States. Your committee have examined the papers with great care, and with that respectful attention which is due to the source from which they emanate, but they cannot disguise their astonishment at the position assumed by the Convention and the arguments by which it is attempted to be sustained. The position taken by the Convention is, that they have a right to suspend the operation of certain acts of Congress within the limits of the State by declaring those acts null and void, on the ground of their supposed

unconstitutionality. This extraordinary right is assumed not as a revolutionary measure, but as one that results from the nature of the compact, created by the Constitution, and as in perfect harmony with its principles. It becomes necessary therefore, to settle distinctly, the nature of that instrument, in order to decide the question of this right.

The ground taken by the Convention on this subject is, "that the Federal Constitution is a treaty, a confederation, an alliance by which so many sovereign States agree to exercise their sovereign powers conjointly, upon certain objects of external concern, in which they are equally interested." "That the Federal Government is the common agency, of the sovereign States, and possesses no more inherent sovereignty than an incorporated town, that it is a mere political corporation," "and that it is the *moral obligation* alone which each State has chosen to impose on herself, and not the want of sovereignty" which restrains her from exercising all those powers which have been granted to the Federal Government. And this is declared by the Convention to be the true nature of the compact. The principle with which they set out, and upon which the whole doctrine is built, is thus laid down in the address to the people of the State—page 4. "The Constitution of the United States, as is admitted by cotemporaneous writers, is a compact between sovereign States." This is the corner stone of the whole system of nullification. For if it be true that the Constitution is a mere treaty or compact between sovereign States, which now possess all the sovereignty they ever had, and among whom there can be no common arbiter, the rest of the doctrine follows as a matter of course. The question then arises, is this proposition true? Your committee conceive that it is false in both its branches. It is neither a compact between sovereign States, nor is so admitted to be, by cotemporaneous writers, at least of any credit.

The first and most natural source to look to, for the settlement of this question, is the instrument itself. Since it is apparent that it would be utterly useless to reduce an agreement or compact to writing, that it would be useless to establish a written constitution for any government or any people, if the crude notions and wild conceits of any individual may be substituted for the terms of the instrument. This is more particularly true with regard to such an instrument as the Constitution of the United States, which was the work in the first instance of a general convention from the different States, and was afterwards submitted to the conventions of the people in each of the States. So that not a word or letter, and certainly not a single *principle* contained in it can be supposed to have escaped the severest scrutiny, and the whole must therefore have the highest sanction.

Upon opening that instrument, the first *principle* which presents itself is, that it purports to be the act of the American people. It is not stated to be a compact between New-Hampshire, Massachusetts, Rhode Island, and the other ten sovereign States, and which would have been the appropriate, and indeed the only preamble if

the idea intended to be conveyed was, that of a compact or treaty between those sovereign States; but on the contrary, it is declared to be the act of the American people. The language is, "We the people of the United States do ordain and establish this Constitution for the United States of America." The principle here established is, that the Government created by that Constitution is the act of the people of the United States, and not the act of the States, as sovereignties. As this principle lies at the foundation of the whole system, it is impossible that it should have escaped the attention of the General Convention, and of the thirteen State Conventions which passed upon it. They could not have been ignorant of, or inattentive to, the difference of the two principles involved in the question, whether the instrument to which they assented, was a constitution of government to be established by the people, or a treaty or compact between thirteen sovereign States. To suppose them ignorant, is to suppose them incompetent to their task, and to suppose them inattentive, is to suppose them culpably negligent of their duty. But we will show that they were neither the one or the other.

The very first question, as might naturally be supposed, that presented itself to the General Convention was, whether the Constitution they were about to form should be a *compact* among *the States* or the *act* of the *people*. The particular business of the Convention was opened by Governor Randolph, who submitted to their consideration, on the 29th May, 1787, various resolutions, with a view to settle the principles on which they were to proceed. The first of those resolutions was in these words: "Resolved, That the *articles of confederation* ought to be so corrected and enlarged, as to accomplish the objects proposed by their institution, namely, common defence, security of liberty and general welfare."—*Elliott's Debates, vol.* 4, *p.* 41. Now it must be recollected that the articles of confederation were in point of fact, and in terms, a compact between the different States as sovereignties. The instrument itself purports to be such, and is described in the preamble as "Articles of confederation and perpetual union between the States of New-Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations," &c. As Governor Randolph's proposition was merely to *correct* and *enlarge* those articles, if it had been adopted, the *nature* of the compact would have been the same, and it would have continued to stand on the footing of an agreement among the States as sovereignties. The very point now at issue was therefore brought at once, and directly before the Convention. On the same day the Convention resolved to go into committee of the whole, on the state of the Union, and the propositions of Governor Rondolph were referred to that committee. On the following day, May 30th, these resolutions were taken up for consideration, and the particular one in question being the first in order, was, on his own motion, postponed; and another offered likewise by him, was, after debate, adopted as a substitute, in the following words: "Resolved, That a National Government ought to be established, consisting of a Supreme Legislative, Judiciary and Executive." On

this question, six States, namely, Massachusetts, Pennsylvania, Delaware, Virginia, North Carolina and South Carolina voted in the affirmative; Connecticut voted in the negative, and New-York was divided.—*Elliott's Debate, vol.* 4, *p.* 49. Mr. Yates, a member of the Convention from New-York, who was opposed to the present Constitution, and afterwards withdrew from the Convention because he thought they were exceeding their powers, kept minutes of the debates while he was there, which are published in the 4th vol. of Elliott's Debates, and has thus thrown much light on the questions that were agitated; and may be considered for that purpose as of the highest authority. In his minutes of the debate on that day, he observes, "this last resolve had its difficulties; the term *supreme* required explanation. It was asked whether it was intended to annihilate the State governments? It was answered only so far as the powers intended to be granted to the new government should clash with the States, when the latter should yield."—*Yates' Minutes, p.* 50. It was thus decided that the *articles of confederation* should be laid aside, and the *principle* of a compact among the States as sovereignties abandoned. Accordingly we find that on the 6th of June following, when the fourth resolution offered by Governor Randolph, was under consideration, which provided that the members of the first branch of the national Legislature should be elected by the people, a motion having been made to strike out the word "people," and substitute the word "Legislatures," of the several States, the motion was lost by a vote of eight States to three. In the debate on that point, Mr. Madison is reported by Mr. Yates to have observed, "that when we agreed to the first resolve of having a national government, consisting of a Supreme Executive, Judicial and Legislative power, it was then intended to operate to the exclusion of a *Federal* Government, and the more extensive we made the basis, the greater probability of duration, happiness and order."—*Yates' Minutes, p.* 63.

The first resolution was afterwards modified so as to read thus: "Resolved, That the government of the United States ought to consist of a Supreme Legislative, Judiciary, and Executive." The reason for which is stated by Mr. Luther Martin, one of the delegates from Maryland, and a most determined opponent of the proposed system at the time, to have been that they were afraid that the word National might tend to *alarm.*—*Yates' Minutes, p.* 22.

The principle was thus, therefore, clearly established, and remained unchanged, that the new government was not to be placed on the footing of a compact among the States as sovereigns; but was to emanate from the people and be established by their authority. On the 23d of July, the resolution thus modified, was, together with the others which had been elaborated in the debate that had been carried on in the committee of the whole, referred to a committee of five for the purpose of reporting a Constitution. It is evident that the committee appointed for that purpose, were bound, in drafting the instrument, to preserve that *fundamental principle.* Accordingly, on the 6th of August, the committee reported the draught of a Constitution, the preamble to which began in these

words: "We, the *people* of the States of New-Hampshire, Massachusetts, &c. do ordain and establish the following Constitution for the government of *ourselves* and *our posterity*."—*Elliott's Debates, vol.* 4, *p.* 116. The principle was here distinctly set forth, but as it might have afforded some room for cavil, and it was determined that there should not be a loop to hang a doubt upon, the phraseology was changed, and that of the present Constitution adopted: "We, the people of the United States," &c. If it is possible for human language or for human conduct to express the intentions of the mind, nothing can be clearer than the intention of the General Convention on this point. If regard then be had to the instrument itself, it is, and it purports to be, a Constitution of government established by the people of the United States. For this purpose it was not at all necessary that *they* should be assembled in *one body*, in *one place*, or by *one authority*. It was sufficient for them to assemble in their *respective* States, at their *usual places* of election, and under the *usual authority*. When once assembled, and they proceeded to ratify the instrument, it became to all intents and purposes their act. Nor does it at all affect the question that it was provided, that the ratification of a certain number of the States should be necessary for its establishment. That was a mere condition, which amounted to no more than a declaration, that the experiment was not worth the trial, unless such a portion of the people should concur. So far as this particular subject is concerned, the term is a mere description of the people by classes, and is of no more moment in the argument, than if the provision had been, that it should not take effect unless ratified by two millions of people, or by two hundred and forty counties, or one hundred districts.—The provision was a condition precedent which ceased to be of importance the moment it was fulfilled.

The tenth amendment of the Constitution which provides that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people," illustrates and confirms the view here taken of the character of the instrument, and the source of its authority. But if in addition to this, the frame of government be considered, which deprives the States of almost all the essential rights of sovereignty, and makes them amenable to the tribunals of the United States government, whose decisions are conclusive in relation to all controversies arising under the Constitution and the laws of the United States, it becomes a matter of surprise that any doubt should have been expressed on the subject.

It thus appears that the Constitution is not a treaty or compact between sovereign States, and it remains to show that such was the opinion of contemporaneous writers. Reference has already been made to the work of Mr. Yates, who was a member of the Convention from New-York, and whose minutes of the debates are of the highest degree of authenticity, and which in the passage already cited, as well as in others, confirms the position taken by your committee. In the debate on the 29th June, the first clause of the seventh proposition being under consideration, which re-

spected the suffrage of each State in the first branch of the Legisture, Mr. Madison, who is so much relied upon by the Carolina Convention as an authority, in the celebrated resolutions of 1798, expressed himself as follows, as reported by Mr. Yates: "Some gentlemen are afraid that the plan is not sufficiently national, while others apprehend that it is too much so. If this point of representation was once well fixed we would come nearer to one another in sentiment. The necessity would then be discovered of circumscribing more effectually the State governments, and enlarging the bounds of the general government. Some contend that *States* are *sovereign*, when, in fact, they are only *political societies*.—There is a gradation of power in all societies, from the lowest corporation to the highest sovereign. The *States* never possessed the *essential rights of sovereignty*. These were always vested in Congress. Their voting as States in Congress, is no evidence of sovereignty. The State of Maryland voted by counties—did this make the counties sovereign? The *States* at present are only *great corporations* having the power of making *by-laws*, and these are *effectual only* if they are *not contradictory* to the general confederation. The States ought to be placed under the control of the general government. If the *power is not immediately derived from the people, in proportion to their numbers*, we may make a paper confederacy, but that will be all. We know the *effects* of the *old confederation*, and without a general government this will be like the former."—*Yates' Minutes, page* 114.

In the debate on the 5th June, the last or 15th proposition of Governor Randolph, being under consideration, which provided that the work of the Convention should be submitted to assemblies of representatives to be *chosen by the people expressly for that purpose*, Mr. Yates reports that, "Mr. Madison endeavored to enforce the necessity of this resolve, because the *new national Constitution* ought to have the *highest source* of authority, at least, paramount to the powers of the respective Constitutions of the States; points out the *mischiefs* that had arisen in the *old confederation*, which depends upon no higher authority than the confirmation of an ordinary act of the Legislature." (*Yates' Minutes, p.* 62.)

Mr. Luther Martin, who was a delegate from the State of Maryland in the General Convention, and violently opposed to the new system at the time, in his report to the Legislature of Maryland, on the subject of the proceedings of the Convention, thus details the arguments used by himself and his friends: "It was urged that the government we were forming was not in reality a *federal*, but a *national* government, not founded on the principles of the preservation, but the abolition or consolidation of all *State governments*. That we appeared totally to have forgot the business for which we were sent, and the situation of the country for which we were preparing our system. That we had not been sent to form a government over the inhabitants of America, considered as individuals; that as individuals they were all subject to their respective State governments, which governments would still remain

though the Federal government should be dissolved. That the system of government we were entrusted to prepare was a government over these thirteen States; but that in our proceedings we adopted principles which would be right and proper *only* on the supposition that there were no State governments *at all*, but that all the inhabitants of this extensive continent were in their individual capacity without government, and in a state of nature. That, accordingly, the system proposes the Legislature to consist of two branches, the *one* to be drawn from the people at large, immediately in their *individual capacity*, the *other* to be chosen in a more select manner, as a *check* upon the first. It is in its very introduction, declared to be a *compact* between the *people of the United States as individuals;* and it is to be ratified by the people at large in their capacity as individuals; all which it was said would be quite right and proper, if there were no State governments, if all the people of this continent were in a state of nature, and we were forming one national government for them as individuals, and is nearly the same as was done in most of the States, when they formed their governments over the people who compose them." (*Yates' Minutes, pages* 19, 20.) Notwithstanding these arguments, the Constitution was prepared and adopted on the principles which were thus opposed; and we have here the commentary of one of the ablest lawyers that this country ever produced, who was himself a member of the Convention, and opposed to the system, upon that very instrument; and putting it beyond all doubt and controversy, that it was the design of the Convention to abandon the *principle* of a *compact* among the *States as sovereigns*, and substitute for it that of a government *established* by the *people*. The same view of the subject is presented in the Federalist, a work which was written at the time for the express purpose of explaining and recommending the new Constitution, and which was the joint production of three of the ablest men of the day, and has been regarded and relied upon, both in and out of Congress, and even in the courts of justice, as presenting a most able, authentic and correct exposition of its principles. The conclusion of the twenty-second number, in which some of the evils of the old confederation are pointed out, is as follows: "It has not a little contributed to the infirmities of the existing federal system, that it never had a ratification by the *people*. Resting on no better foundation than the consent of the several Legislatures, it has been exposed to frequent and intricate questions concerning the validity of its powers; and has in some instances given birth to the enormous doctrine of a right of legislative repeal. Owing its ratification to the law of a State, it has been contended that the same authority might repeal the law by which it was ratified. However gross a heresy it may be, to maintain that a *party* to a *compact* has a right to revoke that compact, the doctrine itself has had respectable advocates. The possibility of a question of this nature proves the necessity of laying the *foundations* of our *national government deeper* than in the mere sanction of delegated authority. The *fabric of American empire* ought to rest on the solid basis of

the consent of the people. The streams of *national* power ought to flow immediately from that *pure original fountain* of all legitimate authority."

It is unnecessary to multiply quotations. The question is not under what name the government established by the Constitution would be classed by political writers; whether it would be called a federal government or a national government, or a compound of the two; but simply from whom does it derive its powers? whether from the States as sovereigns? or from the *people?* It thus appears from the Constitution itself, from the Journal of the Convention, from the debates on its proceedings, from the reports of its enemies, and from the arguments of its friends, that the *principle* on which it was founded was, that it was to be a *government emanating from*, and *established* by the *people.* If any thing more were wanting to make assurance doubly sure, the ratification by the State of Virginia, where more opposition was experienced than in any other State, and more debate was had on the subject, the solemn act of ratification by that State recognizes the fact in so many words. It is as follows:

"We the delegates of the people of Virginia, &c. do, in the name and in behalf of the people of Virginia, declare and make known, that the powers granted under the Constitution *being derived from the people of the United States;* may be resumed by them, whensoever the same shall be perverted to their injury or oppression, and that every power not granted thereby, remains with them, and at their will," &c. (*Elliott's Debates, Vol.* 4, *p.* 215.)

It is thus established beyond a doubt, whether we regard the instrument itself or its cotemporaneous history, that the Constitution is a *form of government* established by the *people*, and not a *compact* or *treaty* among the *States.* If this be true, then the whole system of nullification topples into ruin.

The principle on which that system is built, is, that the Constitution is a *treaty* between sovereign States and the general government—an *agency* for them. The moment this foundation is destroyed, the whole system of reasoning fails with it. If the general government be one established by the people of the United States, then they owe it allegiance, and may be guilty of treason towards it. Its laws are supreme, and no portion of the people can abrogate them. The State governments are component, but subordinate parts of the system. They are as necessary and useful in their sphere as the general government, but that portion of the people of the United States who constitute a particular State, can have no more right to nullify or suspend a law of the United States, than a smaller portion of them, as a county of a particular State, or than any individual; in other words, the union of any number, whether great or small, can give no greater or other right than that which belongs to each individual, as a constitutional measure. It is to be recollected, that the ground taken by the nullification party is, that nullification is a right consistent with the Constitution, and peaceable in its nature. In order to sustain

that position, it was essential to show that the Constitution is a treaty between sovereign States, and that in such case there could be no common arbiter, but that each was entitled to construe the instrument for itself, and was bound only by *moral obligation* to observe its stipulations, and was therefore the judge of their infraction, and of the measure and mode of redress. But so far from this being true, it has been shown, that the Constitution is a form of government established by the people of the United States; and having provided a tribunal for the settlement of all controversies arising under its provisions, or the laws of the United States, it necessarily follows that no other mode of decision can be resorted to as consonant with its principles.

If the ground had been taken, that it was a revolutionary measure, and justified on the great principle of self-preservation, it would have had the merit of being intelligible; and if true, would have enlisted the sympathies of other States, and indeed of other nations. In such a case it would be an appeal to arms, and the legal consequences of such a step would have to be met. The case would then be one of an insurrection of a portion of the people against the government, in consequence of alleged oppression. But it was clearly seen, that the real state of the case would not justify such a measure. It was clearly seen that neither the rest of the people of the United States, nor any portion of the world, could be made to believe, that in the midst of so much general happiness and prosperity, in a time of profound peace, with an overflowing treasury, and under such a government as that of the United States, such a case of oppression could be made out as would justify rebellion. It was necessary, therefore, to resort to this doctrine of nullification for the purpose of disguising the real nature of the measure, and to give to a contemplated resistance the air of constitutional right. The act of nullification is, itself, a nullity, and the consequences are treason.

The State governments, it is true, are sovereign for some purposes; but have, by the constitution of the United States, been stripped of most of the essential attributes of sovereignty—such as the rights to declare war, make peace, enter into treaties and alliances, coin money, &c. It is a matter of no sort of importance, which instrument happened to precede the other in point of time, whether the constitution of the State, or the constitution of the United States. The latter instrument having been declared the supreme law, and being the work of the same people, necessarily controls and abridges any sovereign power vested in the State governments under the State constitutions. It is needless to pursue the subject further; it is apparent that the State of South Carolina has no such right as she claims under the constitution. And if she can justify the measure at all, it must be on the ground of intolerable oppression and the unconstitutionality of the acts complained of; but, on this ground, the rights of her whole body of citizens, or any portion of them, are no other, and no greater, than those of the humblest individual in the community: but they can not trammel up the consequences. Their political organization as a State, may furnish readier means of resistance and greater pro-

babilities of success, but the consequences are the same. They can not sanctify or legalize resistance, and the predicament in which the individual may stand if mistaken in his judgment, is that of a traitor to his county.

The view here taken of the origin of the government and the nature of the constitution, is confirmed by the solemn decisions of that great tribunal which has been created by that instrument, and which is the sole and proper one for the settlement of all controversies arising under it. The language of the supreme court, as delivered by Chief Justice Marshall, in the case of M'Cullough against the State of Maryland, is as follows: "In discussing this question, the counsel for the State of Maryland have deemed it of some importance in the construction of the constitution, to consider that instrument not as emanating from the people, but as the act of sovereign and independent States. The powers of the general government, it has been said, are delegated by the States, who alone are truly sovereign; and must be exercised in subordination to the States, who alone possess supreme dominion. It would be difficult to sustain this proposition. The Convention which framed the Constitution was indeed elected by the State Legislatures. But the instrument when it came from their hands, was a mere proposal, without obligations or pretensions to it. It was reported to the then existing Congress of the United States with a request, that it might 'be submitted to a convention of delegates chosen in each State, by the people thereof, under the recommendation of its Legislature for their assent and ratification.' This mode of procceding was adopted; and by the convention, by Congress, and by the State Legislatures, the instrument was submitted to the people. They acted upon it in the only manner in which they can act safely, effectually, and wisely on such a subject, by assembling in convention. It is true they assembled in their several States—and where else should they have assembled? No political dreamer was ever wild enough to think of breaking down the lines which separate the States, and of compounding the American people into one common mass. Of consequence when they act, they act in their States. But the measures they adopt do not on that account cease to be the measures of the people themselves, or become the measures of the State governments. From these conventions the constitution derives its whole authority. The *government proceeds* directly from the *people*, is 'ordained and established' in the name of the people; and is declared to be ordained in order to form a more perfect union, establish justice, ensure domestic tranquillity and secure the blessings of liberty to themselves and to their posterity."—*Wheaton's Rep. vol.* 4, *p.* 403.

The same principles are recognized as being true in the late admirable proclamation of the President of the United States.

As to the doctrine of Nullification, your committee would scarcely have considered it worth the trouble of discussion, but for the grave sanction that has thus been given to it by the Convention of South Carolina. They would have treated it as one of those conceits which might have formed the subject of debate in a Moot Court

of a law school, but would never have conceived it possible that it could enter into the business realities of life.

Under the view which has been taken of the subject, it is scarcely necessary to inquire into the grounds of complaint, since they are not deemed strong enough even on the part of the Convention to warrant a revolutionary measure, or in other words, rebellion; and the particular subject of attention under the communication is the attitude assumed by the State on the ground of her sovereign power.

But your committee cannot forbear from expressing the opinion, that their views of political economy are as erroneous as their constitutional principles. They conceive that it would be no difficult matter to show that the distress of South Carolina may be imputed to very different causes than those assigned, and might be traced with much more semblance of reason, among other causes, to the increased production of their principal staple, both here and in other parts of the world; but your committee refrain from touching further on this subject. They cannot perceive that the people of South Carolina have any *constitutional* cause of complaint. If there is distress among them it is a matter in which we deeply sympathize. But if in the due administration of the General Government, any measure has borne hardly upon them, we know of but one remedy under the Constitution and the laws, and that is in the exercise of the elective franchise.

Your committee abstain from the expression of any hopes or wishes on the subject, they lament the delusion under which they believe a portion of the people of that State labor. But they are free to say, that as the people of this State were the first to adopt the present government, they will be the last to abandon it; and that whenever and wherever the exigency may arise they will be found on the side of the Constitution and the country.

Your committee therefore report the following resolutions:

Whereas a Convention of the people of the State of South Carolina has undertaken by an Ordinance passed in November last, to declare certain acts of Congress for imposing duties and imposts on the importation of foreign commodities, null and void and not binding on the State, its officers and citizens; and has prohibited the enforcement of those laws within the limits of that State, and has also prohibited any appeal from the decisions of the State courts, wherein the authority of the Ordinance shall be drawn in question, to the United States' Courts: And whereas, this measure has been communicated by order of the Convention to the Governor of this State, for the purpose of being laid before the Legislature, and it is expedient that the sense of the people of this State should be expressed in relation thereto—Therefore,

Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, That the Constitution of the United States is not a treaty or compact between sovereign States, but a form of Government emanating from, and established by, the authority of the people of the United States of America.

Resolved, That the Government of the United States, although one of limited powers, is supreme within its sphere, and that the people of the United States owe to it an allegiance which cannot be withdrawn, either by individuals or masses of individuals, without its consent.

Resolved, That the Supreme Court of the United States is the only and proper tribunal for the settlement, in the last resort, of controversies in relation to the Constitution and the laws of Congress.

Resolved, That if in the regular action of the Government, mischief of any kind be produced, the proper remedy is to be found in the elective franchise, and the responsibility of its officers.

Resolved, That in cases of gross and intolerable oppression, which in a government like that of the United States, can be little else than a hypothesis, the natural right of self-defence remains; but which must in the nature of things, be an appeal to arms, and subject to all the consequences of resistance to the constituted authorities. In such a case the measure is revolutionary, and the result remains in the hands of the Almighty.

Resolved, That the Convention of South Carolina can have no other or greater right to annul or resist the laws of Congress, than any assemblage of an equal number of individuals in any part of the United States; nor can any assemblage, however large, have any other or greater right, for such a purpose, than belongs to each individual citizen, considered as a constitutional measure.

Resolved, That it is a subject of regret, that such a delusion should exist among any portion of the citizens of that State, towards whom the people of this State entertain the kindest feelings, with whom they stood side by side in the war of the revolution, and in whose defence their blood was freely spilt. But if the measure which has been adopted is intended as the precursor of resistance to the government, the people of Delaware will not falter in their allegiance, but will be found now as then, true to their country and its government.

Resolved, That we cordially respond to the sentiments on this subject, contained in the able proclamation of the President of the United States, and shall be at all times prepared to support the Government in the exercise of its constitutional rights, and in the discharge of its constitutional duties.

Resolved, That the Governor be requested to transmit a copy of these resolutions and the accompanying report of the committee to the President of the United States, to each of our Senators and our Representatives in Congress, and to the Governors of the respective States and Territories of the United States of America.

JOSHUA BURTON,
Speaker of the Senate.
THOMAS DAVIS,
Speaker of the House of Representatives.

Passed at Dover, January 16, 1833.